

Imperial Lineages and Legacies in the Eastern Mediterranean

RECORDING THE IMPRINT OF ROMAN, BYZANTINE AND OTTOMAN RULE

Edited by Rhoads Murphy



BIRMINGHAM BYZANTINE AND OTTOMAN STUDIES

Imperial Lineages and Legacies in the Eastern Mediterranean

The comparative study of empires has traditionally been addressed in the widest possible global historical perspective with comparison of New World empires such as the Aztecs and Incas side by side with the history of imperial Rome and the empires of China and Russia in the medieval and modern periods. Surprisingly little work has been carried out focusing on the evolution of state control and imperial administration in the same territory; approached in a rigorous and historically grounded fashion over a wide extent of historical time from late antiquity to the twentieth century. The empires of Rome, Byzantium, the Ottomans and the latter-day imperialists in the nineteenth and early twentieth centuries, all inherited or seized and sought to develop overlapping parts of a common territorial base in the Eastern Mediterranean and all struggled to contain, control or otherwise alter the political, cultural and spiritual allegiances of the same indigenous population groups that were brought under their rule and administration.

The task undertaken in *Imperial Lineages and Legacies in the Eastern Mediterranean* is to investigate the balance between continuity and change adopted at various historical conjunctures when new imperial regimes were established and to expose common features and shared approaches to the challenge of imperial rule that united otherwise divergent societies and imperial administrations. The work incorporates the contributions by twelve scholars, each leading practitioners in their respective fields and each contributing their particular insights on the shared theme of imperial identity and legacy in the Mediterranean World of the pagan, Christian and Muslim eras.

Rhoads Murphy was Reader in Ottoman Studies at the Centre for Byzantine, Ottoman and Modern Greek Studies, University of Birmingham, UK, and is now Professor of History at Ipek University (Ankara), Turkey.

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Imperial Lineages and Legacies in the Eastern Mediterranean

Recording the imprint of Roman, Byzantine and Ottoman rule

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Centre for Byzantine, Ottoman and Modern Greek Studies
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Contributors

Frederick Anscombe (PhD Princeton 1994) is Reader in Modern History at Birkbeck, University of London. His research interests lie in Ottoman Balkan and Middle Eastern provincial history, nationalism, religion and the rise of the modern state. Among his publications are *State, Faith, and Nation in Ottoman and Post-Ottoman Lands* (Cambridge: Cambridge University Press, 2014), *The Ottoman Gulf: The Creation of Kuwait, Saudi Arabia, and Qatar* (New York: Columbia University Press, 1997) and (as editor) *The Ottoman Balkans, 1750–1830* (Markus Wiener, 2006).

John Bintliff (PhD Cambridge 1977) is Emeritus Professor of Classical and Mediterranean Archaeology at Leiden University, the Netherlands, and Honorary Professor at Edinburgh University, UK. He wrote his doctoral thesis on the (pre)history of human settlement in Greece and was appointed Senior Lecturer in Archaeology at Bradford University, where he taught from 1977. He then moved to Durham University as Reader in Archaeology in 1990, where he taught until moving to Leiden in 1999. In 1988 he was elected a Fellow of the Society of Antiquaries. Since 1978 he has been co-directing (with Cambridge University) the Boeotia Project, an interdisciplinary programme investigating the evolution of settlement in Central Greece.

Beat Brenk (PhD 1960) served as Professor of Art at the University of Basel (1977–2002) and ‘professore di chiara fama’ for Early Christian and Medieval Archaeology at the University of Rome, ‘La Sapienza’ (2002–2008). His publications include *Tradition und Neuerung in der christlichen Kunst des ersten Jahrtausends* (Wein: Böhlau Verlag, 1966) and *The Christianization of the Late Roman World: Cities, Churches, Synagogues, Palaces, Private Houses and Monasteries in the Early Christian Period* (London: Pindar, 2011), as well as numerous articles on the development of art and art forms in the early Christian period.

Leslie Brubaker is Professor of Byzantine Art and Director of the Centre for Byzantine, Ottoman and Modern Greek Studies at the University of Birmingham. She has published extensively on Byzantine cultural history, iconoclasm and gender.

Nathalie Clayer is Professor at the EHESS and a Senior Research Fellow at the CNRS (Paris). Her main research interests are religion, nationalism and state-building process in the Ottoman and post-Ottoman space. Her publications include *Aux origines du nationalisme albanais. La naissance d'une nation majoritairement musulmane en Europe* (Paris: Karthala, 2007), *Conflicting Loyalties in the Balkans* (London: Tauris, 2011), co-edited with Hannes Grandits and Robert Pichler, and *L'autorité religieuse et ses limites en terres d'islam* (Leiden: Brill, 2013), co-edited with Alexandre Papas and Benoît Fliche.

John Haldon is Shelby Cullom Davis '30 Professor of European History, Professor of Byzantine History & Hellenic Studies and Director of the Sharmin and Bijan Mossavar-Rahmani Center for Iran and Persian Gulf Studies at Princeton University. His research focuses on the social, economic, institutional and cultural history of the medieval eastern Roman empire, in particular in the period from the seventh to the twelfth centuries; on state systems and structures across the European and Islamic worlds from late ancient to early modern times and on the production, distribution and consumption of resources in the late ancient and medieval world.

Aglaia Kasdagli (PhD Birmingham, UK 1992) is Associate Professor at the University of Crete. Her research interests include aspects of the economic and social history of the early modern Greek island societies, late medieval Europe, family, customary law, notarial culture and agrarian history. Her publications include articles and chapters in collective works and the monograph *Land and Marriage Settlements in the Aegean: A Case-Study of Seventeenth-Century Naxos* (Venice: Institute of Byzantine and Post-Byzantine Studies, 1999).

Rosemary Morris taught Medieval History at Manchester University from 1974 to 2003 and more recently has been Visiting Fellow at the University of York and at All Souls College, Oxford. Her research has focussed on Byzantine monasticism, administration and law from the ninth to the twelfth centuries. Publications include *Monks and Laymen in Byzantium, 843–1118* (Cambridge University Press, 1995), *The Hypotyposis of the Monastery of the Theotokos Evergetis, Constantinople (11th-12th centuries)* (with R.H. Jordan, Farnham: Ashgate, 2012) and numerous articles.

Rhoads Murphey (PhD Chicago 1979) is Professor of History at Ipek University (Ankara). His research has encompassed Ottoman state structures, administration and the military, as well as cultural history and relations with the West, from the fourteenth to the twentieth century. His publications include *Studies in Ottoman Society and Culture, 16th-18th Centuries* (Farnham: Ashgate, 2007) and *Ottoman Warfare, 1500–1700* (UCL Press, 1999), as well as numerous articles and chapters in collective works.

Johann Strauss (PhD Munich 1987) teaches the history of Turkish and Ottoman literature, the history of the Turkish language, and Ottoman Turkish at the Département d'Etudes turques of Strasbourg University. He has

previously held Lectureships at the Universities of Munich, Birmingham and Freiburg (Germany). He has published numerous articles in English, French and German on a variety of topics, in particular translations from Western languages into Ottoman Turkish, the history of printing and publishing, and on the linguistic and cultural contacts between the various communities of the Ottoman Empire.

Athanasios K. Vionis (PhD Leiden, 2005) is Assistant Professor in Byzantine Archeology and Art at the University of Cyprus. His research interests include landscape archaeology, settlement history, ceramic studies, material culture and everyday life in the Byzantine and post-Byzantine Eastern Mediterranean. His publications include *A Crusader, Ottoman and Early Modern Aegean Archaeology* (Leiden: Brill, 2012) as well as several papers on related topics in journals, edited books and conference proceedings.

Malcolm Wagstaff (Ph.D. 1975) is Professor Emeritus in the University of Southampton (UK), where he was a Professor of Geography before retirement. His research lies mostly in the historical geography of Greece and Turkey, especially in the development of land use and settlements. His publications include *The Evolution of Middle Eastern Landscapes: An Outline to AD 1840* (London: Croom Helm, 1985), *Greece: Ethnicity and Sovereignty 1820–1994. Atlas and Documents* (Slough: Archive Editions, 2002) and *Geographical Studies on Modern Turkey and the Ottoman Empire* (Isis, 2013).

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Rhoads Murphey
University of Birmingham,
Birmingham, UK, 1992–2014
Ipek University, Ankara, Turkey, 2014–

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Introduction

Recording the imprint of Roman, Byzantine and Ottoman rule

John Haldon and Rhoads Murphey

For some decades after the middle of the twentieth century, as the old empires that had arisen in the course of the eighteenth and nineteenth centuries were dismantled and as European colonial possessions were released from the imperial networks within which they had become ensnared, the consensus grew that the world had entered a post-imperial era. Yet by the beginning of the twenty-first century it seemed that such a conclusion was both contestable and premature. And today imperialism as a concept, and often as a hidden agenda under a different name, is on the agenda once again, as contemporary international power politics readily demonstrate. Topical discussion about the unilateralist foreign politics of the USA, about post-Soviet Russian expansionism in eastern Europe or the Arctic or Chinese expansionism in the far east represent one aspect of the debate. But notions of empire and imperialism also inform and shape many aspects of policymaking and of attitudes in other spheres. The legacy of the imperial and colonial past is evident in such phenomena as the ways in which the EU has evolved and continues to develop, in issues of neo-colonialism, in ethnic violence and rivalries in former colonies or in the debates surrounding humanitarian interventions by the nations of the developed world in the affairs of developing countries, often former colonies. No doubt the imprint and heritage of European colonialism is partly responsible for the ways in which 'imperialism' as both a concept and as a symbol, an evocation of the past in all its various forms, retains a contemporary currency and value. There are, however, other elements in the story, and it is clear that it is not only the colonialism and imperialism of the recent past or of Europe that need to be considered. The Soviet Union, effectively an empire in its inner structure and in its administrative and political articulation, as well as in the mechanisms deployed to maintain and/or extend its political and economic control, has been replaced – as already intimated – by a Russian state in which a form of imperialist nationalism plays a key role in policy decisions at the highest level and which informs popular opinion and entails the evocation of an imperial past. In many respects modern Russia represents the continuation in a new guise of a traditional Eurasian land empire, just as the modern Chinese state maintains claims to the extensive multiethnic empire of the late imperial period. The Middle East cannot be understood without a grasp of its imperial Ottoman past, no more than can the

Balkans be understood without some awareness of what has been termed the 'Byzantine commonwealth' and its impact, nor again India without a grasp of the Mughals. And in both structural and administrative, as well as ideological, respects the Catholic Church still dimly reflects the basic features of the Roman empire in the west.

In light of this situation, then, it becomes all the more important and relevant to spend some time examining issues of imperial legacies and how they echo and impact the modern world. And although there is no explicit reference to it in the title of the book, this collection of essays – each chapter prepared by a leading specialist in one of the principal disciplinary fields or subfields relating to a particular empire – is dedicated to the overarching themes of fluidity, flexibility and heterogeneity in the organisation and realisation of empires of the Mediterranean world. These characteristics represented a feature that all three empires studied in this volume shared in common, regardless of their makeup, territorial extent or dynastic longevity. The volume's chronological scope is extensive, covering a span of nearly a millennium and a half of history and tracing the ups and downs of Mediterranean empires between roughly 400 and 1900 AD/CE. It goes without saying that each of these empires had a great deal in common besides the obvious fact of the coincidence in their territorial composition and extent. A starting point for their comparability is the fact that they displayed the same ethnolinguistic and cultural makeup and incorporated, at various times and with varying degrees of stability and permanence, the same populations, who became subjects of Roman and Byzantine emperors and in later centuries of Ottoman sultans.

How do we define empires? Scholarly debate focused on the study of empires has become especially active in the last two or three decades. To some extent this is a response to recent political debates about the nature of imperialism in the modern world. Themes such as the 'benefits', merits and demerits of imperialism and the contexts and origins of imperial systems have attracted particular attention. Yet there are almost as many ways of approaching empires as there have been empires themselves.¹ Comparative social history, invoking both historical research and political science perspectives on state systems and state formation, has been especially productive of questions and frameworks for analysis and discussion. An alternative, perhaps less analytical but nevertheless profitable and informative approach has been to juxtapose a range of historically determinate imperial systems in a loose comparison, allowing those engaged in the debate to draw their own conclusions. Other approaches tackle the question through the elaboration of meta-historical models into which a range of historical examples are fitted and explained on the basis of a common causal logic. Depending on perspective and starting point, all of these can be useful and have an explanatory value.² This sort of larger-scale discussion is beyond the remit of our brief introduction. But discussion of the structure of empires too frequently ignores the constitutive function of belief systems in determining or inflecting social praxis and hence cultural institutions of all kinds, from bureaucratic arrangements to religious structures. One aim of this volume is to underline the importance of

beliefs, both as configured through official ideologies as well as through the symbolic universe or 'thought-world' of the ordinary members of the culture and society in which the imperial state was rooted, as well as in that of the conquered, assimilated or dependent populations and elites of empires.

Imperial systems have been both relatively simple as well as complex. On the one hand, they can be broadly identified through a small number of key elements that all share. Most have been territorial polities extended beyond an original central region, dominated by a core, usually with a substantial element of coercive power at its disposal. They have tended to entail the incorporation of local elites, and often local religious cultures, into a system dominated by the centre, while the language and culture of the core tends to dominate as the medium of imperial administration and elite culture. By the same token, they generally generate an imperial ideology through which the system of rule and domination can be legitimated. On the other hand, it is obvious that no single version or model of empire has ever existed, or exists. The observer and analyst is instead confronted by a wide range of empirically verifiable forms, and each set of forms originates, functions and evolves differently. Imperial systems and the economic structures that maintain them evolve, of course, while the succession of empires over time also demonstrates a succession of imperial forms that vary in terms of their patterns of ideological integration, their power over conquered lands, the degree of their integration of subordinate elites or the sophistication of resource extraction and redistribution. To a certain extent, indeed, we might envisage empires as historically determined solutions to managing networks of power-relationships and their extension or maintenance on the part of a specific dominant polity or power elite, solutions that function until the wider context in which they originated changes sufficiently for the arrangements and relationships in question to begin to fail.³

There are innumerable variations on the theme of the relationship between local and regional elites and the core, between imperial political ideologies and local elites, between different levels of elite activity and the imperial administration or military. Likewise, the relationship between imperial fiscal management and the collection and consumption of resources, between means of exchange, monetisation and market activity, all vary massively from case to case – although, of course, it is possible to reduce all of these to a smaller set of ideal-typical forms.⁴ The origins of an empire generally determine a whole range of its key features – from its religious-ideological configuration to its forms of revenue and its resource base. For example, taxation, tribute and trade generally coexist in different proportions and occupy different positions within the imperial system according to geography, cultural tradition, access to precious metals, the political conjuncture, technological development and the structures of rule and administration. Such features reflect relationships, or sets of relationships, that involve all aspects of social power – as elaborated, for example, in Mann's work on state systems: collective and distributive, intensive and extensive, diffused and authoritative. It is on the basis of such categories that we can try to elucidate and understand the dynamics of imperial systems at different periods and in different

parts of the world. Social power as thus defined can be seen as fundamental to the actual configuration of different networks of social relations and to the imperial structures that evolve out of them. Empires can be seen as ‘multilevel states’, constituting themselves at certain key levels – in respect of, for example, bureaucratic arrangements – as quasi-autonomous actors in respect of social-economic and political power relationships.⁵

A key aspect of the constitution of imperial ideologies is reflected in the practice and forms of imperial legitimacy and legitimation. In the case of the past traditions of the empires dealt with in this collection of essays, we can observe many features of continuity across the various dynastic boundaries and ostensibly distinct political eras. One example of the durability of tradition in the Mediterranean world can be seen in the fact that – despite the glaringly obvious contrast and seeming incompatibility between the former Christian emperors and a newly installed Muslim ruler – the new master of the city in 1453 proclaimed himself not just ‘master of the two continents and the two seas’, but also *kayser-i Rum*, that is Roman Caesar. Such self-proclaimed continuities were part and parcel of the Ottoman understanding of inclusive politics and claim of universal sovereignty according to which titles as diverse and seemingly self-contradictory as *han* (*khan*) and *shah* (*padishah*) could, in their appropriate contexts and for their particular purposes, be invoked to appeal to diverse political constituencies, both internal and external. At the same time, other terms and titles of sovereign status such as sultan and Caesar could be used interchangeably as an invocation of the universal scope of the Ottoman ruler’s power and authority. The incongruity of drawing on pre-Christian Roman traditions on the one hand, while at the same time at invoking the pre-Islamic rulers of Achaemenid and Sasanian Iran in Ottoman imperial titlature gave apologists for the Ottoman dynastic cause not the slightest pause or occasion for self-doubt. Successor regimes made a general habit of claiming not just that they superseded their predecessors in a chronological sense, but also that they outperformed them in the art of good government as measured in a diverse set of terms cherished by their predecessors, whose empires had been constructed in the same territory. As cohabitants of Anatolia during the Palaeologid interregnum in Nicaea between 1204 and 1261, the Turkic tribal elements whose immediate descendants founded the Ottoman empire had already undergone a kind of synthesis of traditions that left its own mark on the forms of political legitimacy that were formulated after the stable establishment of their own imperium.

Similar continuities in terms of self-reference and the transference of symbols, regalia and other material expressions of the imperial traditions carried over from a previous imperial era enabled the bridging of the seemingly unbridgeable gap between pagan Rome and the Eastern Roman empire of the early Christian era. These crossovers are explored in detail in the thoughtful contribution of Beat Brenk at the beginning of the present volume. In his contribution Brenk documents the incorporation and use in wholesale fashion of images, gestures, symbols, visual representations and iconography of power and authority in examples representing imperial art of the pre-Christian era and their

counterparts in the early Christian era. The stability of cultural norms during periods of political upheaval and transition to new systems of belief, such as that from paganism and polytheism to Christianity in the first century AD and from a largely Christian-dominated Mediterranean to the multifaith world that emerged after the rise of Islam in the mid-seventh century, represents an aspect of the increasingly multiethnic, multifaith and multicultural empires of Late Antique and Early Medieval times that the several contributors to the volume have sought to evaluate.

Coming to terms with the diversity of inherited traditions represented in its various constituent parts of empire, from the political centre to the margins and borderlands, required a constant adaptability, inventiveness and flexibility that expressed itself in different ways during distinct phases in the expression and manifestation of empire, from rise and consolidation to inertia and decline through the course of intermediate and repeated cycles of equilibrium and disequilibrium. These cycles, of varying duration and intensity – what some might call crisis and recovery – were an integral part of the life-histories of such long-enduring entities as the Byzantine and Ottoman empires. The character and forms of adjustment, adaptation and accommodation of change may have varied between empires, but the necessity of such accommodation for the survival of empire remained the same. Of course, such accommodations were not always – if ever – consciously planned, but reflected rather the degrees of resilience of the political and socio-economic structures that prevailed at any given moment, and in particular the various competing vested interests of the major stakeholders in each system (e.g., imperial family/dynasty and political power elites, including religious elites, identity groups and so forth).

Because of its extreme longevity, a kind of timeless quality, even immutability, is often falsely attributed to the Byzantine empire over the course of its thousand-year history between the mid-fourth century and the fall of Constantinople in 1453. In practical terms and in terms of the limits of the possible in a constantly changing world, immutability was, of course, never achievable. New circumstances arising from political, environmental and epoch-making global economic change, such as the rise of market-orientated and monetised agrarian regimes in the sixteenth century which in turn affected Ottoman administrative arrangements and procedures – including their approach to such basic state institutions as the land tenure regime and attitudes towards the most beneficial division and distribution of its productive potential – always introduced themselves and challenged the social, political and economic premises supporting the existing imperial *status quo*.⁶

In the face of change on a monumental scale, empires of the Late Antique, Medieval and Early Modern periods devised different strategies for meeting the challenge posed by an unstable world. How flexibility, fluidity and hybridity were expressed in the specific historical circumstances, and the nature of the responses to change that were generated in each empire is documented in detailed case studies provided by each of the contributors to this volume. One level of challenge confronted by the two main empires whose experience

accounts for the bulk of the volume's content was the search for and struggle to gain and retain the loyalty of subjects inherited from a predecessor regime. The strategies deployed by the respective empires to attract supporters to their dynastic cause depended on an appeal to a variety of constituencies whose composition was subject to change as the empire expanded, contracted or wallowed in the doldrums over the prolonged course of their respective dynastic lifespans. The relationship between the governors and the governed and the rulers and the ruled was forged in the crucible of crisis and sometimes even cataclysmic change that affected all empires regardless of their longevity. The explanation for each empire's longevity can be sought in the nature and thoroughness of its particular responses and its general responsiveness to the potentially destabilising changes it encountered.

The imprint left as one empire succeeded to another and the after-history or meta-history of a fallen empire during the tenure of a caretaker or successor regime naturally forms one dimension of continuity at the outset of a new imperial era. But how a successor regime exploited and/or realised the potential represented by such inheritances constitutes a field of study whose breadth and scope was perhaps first realised in Nicolae Iorga's aptly entitled study *Byzance après Byzance*, published in 1935.⁷

By and large, in its revisiting of Iorga's conceptual vision of 1935, the present volume supports the contention that there is no such thing as a *tabula rasa* or an absolutely new beginning in history, a point noted already. Intriguingly however, two contributors to the volume, Anscombe and Strauss, challenge the notion of the inevitability of a meta-historical influence or post-imperial 'legacy' of empire suffusing all levels and spheres of imperial self-expression. With regard to the after-life of Ottoman political institutions, Anscombe argues that in view of the fact that most of the political regimes that emerged in the nineteenth-century Balkans and post-WWI Middle East were imposed by the European colonial powers and represented their political values: "In the sphere of politics, there was practically no Ottoman heritage, let alone legacy, that survived the creation of nation-states on formerly Ottoman lands". The imperceptibility of a lasting Ottoman cultural imprint on the former Ottoman lands in the Balkans and the Arab world is a theme taken up in the chapter by Strauss through his evaluation of the lack of literary and linguistic inheritances dating from the period of Ottoman rule. The absence of a self-conscious and consistently implemented policy of ethnic or linguistic Turkification or the formulation of an imperial culture based on Turkishness or Turkic identity raises the question of whether this was by accident or design. The fact that the Ottomans studiously avoided association of their imperial regime with policies of forced conversion or pressures to assimilate suggests that it was a deliberate choice whose aim was to promote feelings of loyalty and a sense of belonging among subject populations representing a wide array of different faiths, language traditions and cultural norms. Loyalty to the Ottoman regime was tested not in terms of conformity to predetermined ethno-religious norms or cultural expectations, but in a spirit

very similar to that expressed in Executive Order 10925 issued by American president John Fitzgerald Kennedy on 6 March 1961: “without regard to the race, creed, colour, or national origin” of would-be participants in the Ottoman imperial venture. To this list one might add, in the Ottoman case, ‘and without regard to applicant’s/participant’s linguistic preferences’. Imperial governance encroached on many spheres of everyday life, including market regulation, maintaining law and order and other aspects of social cohesion, but tampering with individual identity remained outside the competence and purview of the state throughout the premodern era. Perforce premodern empires remained both unambitious and ineffectual in the task of shaping the thought worlds of their subjects and, until the era of mass education inaugurated in the late nineteenth-century, ill equipped with the means to create ‘imagined communities’ or to achieve cultural uniformity and/or hegemony to any meaningful degree.

The project of studying the afterlife of empires and of tracing and discovering the meta-historical realities relating to imperial survival in a later imperial era or in a post-imperial world was made the topic of investigation for a symposium convened in Strasbourg in 1987.⁸ Discussion of whether historical change is best understood as a process of historical accretion, as opposed to *ab novum* creation, is ongoing. In particular, the scholarly study of the Ottoman empire has made notable advances during the quarter century or so since the publication of proceedings of the Strasbourg symposium in 1991. It is thus perhaps high time that the topic of imperial residues, in its broadest dimensions, should be revisited in the light of new discoveries, new research agendas and new approaches to the study of the eastern Mediterranean lands as elaborated over the past several decades.

In the present volume are several aspects of the survival and/or aftermath of empires that were not fully explored in previously published works, including, for instance, study of survivals in the pattern of land use, analysis of the characteristics of land settlement and labour mobility and other long-term adjustments to environmental degradation and over-intensive exploitation of the soil. These topics are considered from the perspectives of both archaeological and geographical analysis, with an accompanying review of the surviving material and archival evidence in the contributions by Vionis and Wagstaff to the present volume. The evidence analysed in these studies is drawn from four distinct political or imperial eras, starting with the Romano-Byzantine, proceeding to the era of Latin rule in the Greek lands in the post-Classical era (as studied by Vionis) and concluding with the quick succession from Venetian occupation to the reimposition of Ottoman rule following the twenty-eight-year Venetian interregnum lasting between 1687 and 1715 (as studied by Wagstaff). Comparing the style of rule and the legacy of empire by focusing on confined geographical spaces over contrasting lengths of time brings into clear relief the impact of empire in the landscape. Such focus on regions and sub-climes as a way of assessing the influence and aftermath of empire in the Mediterranean was not something that was very much in scholarly vogue at the time when Nicolae Iorga’s volume of

1935 was conceived, nor was it very comprehensively covered when the theme was revisited from a multi-perspective approach in the publication of 1991. The conclusion that the content and methodological context of the present volume, in particular by its inclusion of an investigation of long-term changes in the landscape of the Mediterranean, contributes in a significant way to the broadening of the discussion on the phenomenon of empire seems incontestable.

The contribution by Vionis investigates the impact (cultural, religious and artistic) of successive political regimes over a long expanse of time in a confined setting, in his case the confined insular context of the Cyclades. Apart from the era of Latin rule when Naxos served as the pivot and political centre of the Latin Duchy of the Archipelago in the thirteenth to sixteenth centuries, this region stood at the periphery of empire and was spared the intrusive presence of direct imperial intervention. It is thus ideally suited for the investigation of the relationship between periphery and centre and for the purpose of tracking alternations in the image and perception of empire as they emerged across political eras. Wagstaff, on the other hand, takes under consideration the regional impact of regime change in the short span separating Ottoman from Venetian rule in the late seventeenth to early eighteenth centuries based on a microcosm of empire consisting of the Aigio district in the northern Peloponnesus, whose demographic, fiscal and agrarian profile can be reconstructed comprehensively from the detailed quantitative data preserved in cadastres and other rural survey records preserved from both imperialist regimes, i.e. the Ottoman and Venetian. The contrast between the long-term and wider regional perspective offered by Vionis and the microscopic and highly detailed picture of the immediate on-the-ground effects and imprints left in a specific locality at the conclusion of particular political regimes studied by Wagstaff provides the reader with alternative ways of interpreting the imprint of empire on local and regional landscapes and rural settings. What's more, it offers a welcome relief to the relentlessly Constantinople-centred and Istanbul-centric approaches to imperial legacy encountered in many accounts.

The contributions on legal and institutional frameworks operating within the Byzantine and Ottoman empires prepared by Morris (chapter 1) and Murphey (chapter 2) help clarify another aspect of the negotiated character of power relations as both authors independently reach a similar conclusion that central imperial administrations were perforce engaged in a constant process of bargaining and accommodation with custom, tradition and other entrenched means of problem-solving. Such alternative means might consist of local administrative or institutional structures or competing jurisdictional modes such as municipal, judicial, monastic or other ecclesiastical bodies. At the local level, state power was necessarily mediated and delivered by a host of different actors and agents, some of whom enjoyed a degree of independence from central imperial authority. In navigating these spheres of imperial governance where long-standing legal principles and precedents held sway, the emperor's 'power' was always filtered and refracted through the lens of accommodation and compromise with interests defined and defended outside the apparatus of the state and its institutions.

This gave a hybrid quality to solutions devised to resolve real world problems and to cope with social complexities. Such differences could never be resolved using the dogmatic and single-minded approach to decision-making to which an 'autocratic' ruler was theoretically entitled, nor could it solutions be dictated unilaterally by the application of the unbending philosophical or ideological commitments of either side in a jurisdictional dispute. By default, emperors in both the Byzantine and the Ottoman contexts was not just defined by but also governed by compromise.

How the rule of law and imperial justice were applied and how such application of the law found, and needs must find, its reflection in the self-image as well as the comportment of the ruling authorities with respect to seekers of justice reveals a pattern of long-term continuity commencing in the Late Antique era that is preserved across dynastic and religio-cultural barriers and boundaries. On a wider front, perhaps one of the volume's most consistent and unwavering conclusions – a conclusion shared by the archaeologists, art historians (e.g. Brenk and Brubaker), geographers as well as the historians who offer their reflections on the cumulative nature of imperial traditions and their legacy in contemporary times (e.g. Anscombe, Clayer and Strauss) – is that when reviewing the record and skeletal remains of empires which have come and gone, wholesale or radically transformational change is rarely encountered. Stated in other words: *ex nihilo nihil fit*.

The general axiom that while change may be perpetual, it is never fully pervasive, applies whether one examines the realm of material culture, cultural values or even such basic qualities as self-identification and self-representation. The terms of such qualitative and reflective choices were set outside the compass and control of central state bureaucracies and instruments of imperial governance. While there was no shortage of political and dynastic change over the period of AD 400–1900 treated between the covers of this volume, and while changes realised at the trans-societal level involved the adoption of new confessional, spiritual and intellectual identities, whose force and mobilising potential are undeniable, each empire under study received into its care relatively stable populations confirmed in their traditional habits and settled in their traditional habitats on and around the shores of the Mediterranean.

Transformatory events on the scale witnessed in modern times under the influence of mass migrations and redrawing of boundaries that involved the resettlement or permanent emigration in the aftermath of catastrophic wars are not encountered in the annals of imperial history prior to the internationalisation of imperial rivalries and balance-of-power conflicts on a global scale that began to occur around the time of the Crimean War in the mid-nineteenth century. The scale of change witnessed with the passing of one empire and its succession by another in premodern times which constitutes the subject matter of the present volume was characterised by reconciliation, coming to terms with a new imperial master, building of new political identities on a basis of mutual compromise, accommodation and a renegotiation of personal identity, and the forging of a 'sense of belonging' was proven to be not just achievable but was

routinely achieved. The Ottomans, though sometimes cited or celebrated for their toleration and acceptance of religious and cultural diversity, actually built their imperium on a foundation not of toleration for but celebration of diversity. In addition to accommodating the community life of their own indigenous religious minorities, i.e. the *zimmi*, they also maintained an open immigration policy and welcomed members of any religious or ethnic minority group whose potential for contributing to the dynasty's cause was discerned.

The brain drain on a global scale, though perhaps a modern and post-industrial phenomenon in its essence, also had its premodern equivalent, since no member of the top league of imperialists and governors of territorially extensive empires could afford to do without the services of skilled workers capable of operating in multilateral contexts. Some such workers entered the sultan's employ as captives or prisoners of war, whereas others sought the sultan's protection and entered his circle of patronage and employment as asylum seekers or so-called renegades. This later group should more properly be referred to as specialist advisers, technicians and artisans who possessed sought-after skills and talents needed for the smooth and efficient running of the empire.⁹

That political identity and loyalty to the state or dynasty were fluid and flexible and that faithful service to a sovereign was based upon a negotiated status whose terms were hammered out with input from both parties is clear, but what is not always recognised is that because terms of service were first negotiated and thus by definition also renegotiable, loyalty as a quality was never absolute or permanent, but personal and based on the nurturing of a relationship founded on mutual trust. Each succession to the throne required not only a transfer of loyalty, but also a renegotiation of its terms with the new ruler, whose ruling personality was unique to himself and whose criteria for recruitment and deployment of his officers and governors might differ from any given predecessor. Thus, in the transfer of power at a succession within a dynasty – or even in the context of the substitution of one dynasty for another – what mattered most was the orderly and stable transfer of power. The stability and preservation of institutional and administrative structures and even of administrative personnel, as well as the detail of administrative practice across imperial regimes, constituted another dimension of long-term continuity to be explored when assessing the imprint of Roman, Byzantine and Ottoman Rule in the Balkan lands and in the Eastern Mediterranean. One of the volume's contributors, Anscombe, devotes his chapter to a consideration of the post-imperial survival of such loyalty and patronage principles and practices in the era of national sovereignty that ensued with the gradually fading, but never entirely disappearing, Ottoman imperial presence in specific regions of the former Ottoman territories. Paradoxically, in some realms, i.e. the Arab lands following the Treaty of Berlin and the loss of Ottoman territories in the northern Balkans after 1878, the once imperceptible presence of rule from the imperial capital in Istanbul became ever more apparent in the waning years of empire.

Throughout the premodern era, even in the early phases of the era of the nation state post 1870, there was little opportunity for state leadership, whatever

the colour, stripe and tone of its religio-ideological commitments, to reconstitute the thought worlds and cultural habits of its diverse subject base or to remake its citizen-subjects in its own image. Such thought worlds were impervious to that kind of influence, and each of the constituent communities making up the sprawling multinational and multid denominational entities which trans-regional empires represented had their own instincts, impulses and habits of self-expression that contributed to the pluralistic cultural mix. It was beyond the power of the state – at least in the form that it assumed in the pre-print and pre-mass communication era – to influence the directional flow of cultural expression or to monitor, let alone control, its form. In this respect, the instruments of repression available to the premodern state were of limited efficacy and extent. The fluid state of culture and cultural expression and the nature of inter-communal dialogue – all existing outside the realm of state manipulation and its directive scope – is captured in the contribution by Clayer, which devotes itself to the complex religious landscape of the Balkans in the nineteenth century. Clayer notes that, despite the dedicated missionary efforts of a number of players – both indigenous and international – to harness the loyalties and the confessional identities of the local residents of the peninsula to serve their own ideological or religious purposes, indigenous populations proved themselves to be impervious and stubbornly resistant to attempts at such manipulation. Clayer characterises this resistance to outside interference in the spiritual makeup of the premodern Balkans as ‘movements, oscillations, mixings and borrowings’.¹⁰ This indeterminism and pluralism represented a process that was ongoing between representatives of diverse cultures and communities whose defining characteristics defy easy classification and elude attempts at analytical dichotomisation or categorisation. The determined heterogeneity and spiritual heterodoxy of the Balkans gives it a complexity that is perhaps inconvenient for the application of sociological analysis which relies on fixed and clearly defined categories. However, the indeterminate quality of Balkan spiritualism described by Clayer is highly suggestive of just how alien and antithetical to the notions of fixity, stasis, absence of movement or unchanging dogma and ‘essence’ the character and content of the thought worlds of the ‘subjects’ of empires remained until well after the dawning of the modern age.

It is the diversity and heterogeneity of empires expressed in terms of centre-periphery differentiation and in the multiplicity of the forms encountered amongst and between the various religio-cultural communities which they incorporated that provides the overarching thematic coherence connecting the essays selected for inclusion in the present volume. Essentialist, sometimes triumphalist, approaches to particular empires tend to avoid any discussion of the varied conversations taking place between cultures and the fusion and emergence of hybrid forms combining aspects of different imperial traditions that are clearly observable in both the Byzantine and Ottoman cases. By so doing they adopt an oversimplified understanding of empire that bears no resemblance to historical reality. Such reductionist perspectives and essentialising understandings of culture provide only an abstract perspective, one that obscures the attempt to

understand cultural development as a process of accretion, reinterpretation and restatement of diverse imperial legacies and inheritances in real time. The purist approach falsely regards each tradition as representative and expressive of a separate, exceptional and purely iterated civilisational form; pagan or Christian, Christian or Muslim.

As an antidote to essentialist approaches, if this collection of essays has accomplished no more than the reintroduction of complexity into the discussion of imperial tradition and prompted the reader to ponder the quality and character of the accommodation of diversity that empires of the past achieved, then that alone justifies the publication of the volume as a cohesive summary of imperial legacy. If, beyond that, it manages to suggest viable ways and means for accommodating religious and sectarian difference and for encouraging the welcoming of cultural complexity and diversity in the modern age – whose character is now defined by transnationalism formed in the crucible of mass migration and the emergence of a global workplace – then its value is multiplied. Despite the transformational character of the revolutions in transport, population mobility, mass communications and a number of other fronts since the passing of the age of empires, the cosmopolitanism of empires in a bygone era still offers much that is worthy of study and reflection – dare one suggest even object lessons – for the contemporary world.

Notes

- 1 See the discussion in J.F. Haldon and J. Goldstone, 'Introduction: Ancient States, Empires and Exploitation: Problems and Perspectives', in I. Morris and W. Scheidel (eds.), *The Dynamics of Ancient Empires. State Power from Assyria to Byzantium* (Oxford, 2009), pp. 3–29.
- 2 See the introductory survey by W. Scheidel, 'Studying the State', in P.F. Bang and W. Scheidel (eds.), *The Oxford Handbook of the Ancient State in the Ancient Near East and the Mediterranean* (Oxford, 2012), pp. 5–57; and Scheidel, 'Introduction', in W. Scheidel (ed.), *Rome and China. Comparative Perspectives on Ancient World Empires* (Oxford, 2009), pp. 3–10 with literature; V.E. Bonnell, 'The Uses of Theory, Concepts and Comparison in Historical Sociology', *Comparative Studies in Society and History* 22 (1988): pp. 156–173.
- 3 For a useful general survey of notions of imperialism and empire and how to approach them, see W.J. Mommsen, *Theories of Imperialism* (Chicago, 1982) and the literature cited in J. Burbank and F. Cooper, *Empires in World History. Power and the Politics of Difference* (Princeton, 2010), pp. 461–462; J. Darwin, *After Tamerlane: The Rise and Fall of Global Empires, 1400–2000* (Harmondsworth, 2008); M. Hardt and T. Negri, *Empire* (Cambridge, MA, 2000).
- 4 For the evolution of theories of imperialism, see N. Etherington, *Theories of Imperialism: War, Conquest and Capital* (London, 1984); J.A. Hobson, *Imperialism: A Study* (Ann Arbor, 1965 [first published 1902]); J. Brewer, *The Sinews of Power: War, Money and the English State, 1688–1783* (New York, 1989); still interesting and useful is E.M. Winslow, 'Marxian, Liberal, and Sociological Theories of Imperialism', *Journal of Political Economy* 39 (1931): pp. 713–758; and see also R. Koebner and H.D. Schmidt, *Imperialism: The Story and Significance of a Political Word* (Cambridge, 1965).
- 5 See M. Mann, *The Sources of Social Power*, Vol. 1: *A History of Power from the beginnings to A.D. 1760* (Cambridge, 1986), esp. 6–10; M. Mann, 'The Autonomous Power of the State: Its Origins, Mechanisms and Results', in J.A. Hall (ed.), *States in History* (Oxford, 1986),

- pp. 109–136. For a critique of some aspects of Mann's approach to state autonomy: J.F. Haldon, *The State and the Tributary Mode of Production* (London, 1993).
- 6 On the nature of the later Roman and Byzantine empires in a comparative perspective, see J.F. Haldon, 'Empires and Exploitation: The Case of Byzantium', in I. Morris and W. Scheidel (eds.), *The Dynamics of Ancient Empires. State Power from Assyria to Byzantium* (Oxford, 2009), pp. 205–254; J.F. Haldon, 'Comparative State Formation: Rome and Neighboring Worlds', in Scott Johnson (ed.), *The Oxford Handbook of Late Antiquity* (OUP: Oxford-New York, 2012), pp. 1111–1147.
 - 7 Nicolae Iorga, *Byzance après Byzance: continuation de l' "Histoire de la vie byzantine"* (Bucarest: À l'Institut d'études byzantines, 1935).
 - 8 See, *Byzance après Byzance: 5e Symposion Byzantinon*, 19–20–21 novembre 1987. Its proceedings were published in 1991 as volume 17 in the series *Byzantinische Forschungen*.
 - 9 On the general phenomenon, see R. Murphey, 'The Ottoman Attitude Towards the Adoption of Western Technology: The role of the *efendi* technicians in civil and military applications', in P. Dumont and J.-P. Bacque-Grammont (eds.), *Contributions à l'histoire économique et sociale de l'empire Ottoman* (Louvain: Editions Peeters, 1983), pp. 287–298.
 - 10 See Claydon contribution, chapter 6 this volume.

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Part I

Law and empire

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1 Byzantine courts and their Roman antecedents

Rosemary Morris

How the corpus of Roman law was transmitted to Byzantium and how it developed there has been the subject of much recent scholarship. What has been subject to far less examination is the question of the transmission of legal practice.¹ What was the court structure available to provincial Byzantines, and what happened when they went to court? How far can this experience be traced back to Late Roman tradition? What elements were new? Justice systems and the courts do, indeed, tend towards the traditional. In Great Britain, barristers still wear the black robes instituted in mourning for the death of Charles II in 1685 and wigs which were last in fashion at the end of the eighteenth century; internationally, most judges and advocates still wear old-style robes and headgear.² Many court procedures have a long tradition behind them, and legal language is often alien to the contemporary vernacular.³ Given this inbuilt traditionalism, if not antiquarianism, looking at courts may provide considerable insight into the more 'Old Roman' elements of the legal practices of 'New Rome'. This discussion will be confined to the tenth and eleventh centuries and, since it will concentrate on archival material, will mainly deal with evidence from the documents of the period preserved in the monasteries on Mount Athos.⁴ Geographically, it will focus on Macedonia and Thrace, where Athonite houses held most of their property. Since we are somewhat better informed about courts in Constantinople, where aspects of continuity with the Roman past are much easier to discern, it may be useful to concentrate on this provincial evidence.⁵ It will also deal with civil cases; we know little about the workings of the criminal law in Byzantium during this or any other period.⁶

We also know little about the physical appearance of Byzantine courts. When they are depicted in contemporary art, the context is always Biblical. The Last Judgement is the most familiar portrayal: one found, for example, in the frescoes of the Church of the Panaghia ton Chalkeon in Thessalonike and in the mosaics of the basilica of Santa Maria Assunta on the island of Torcello in the Venetian lagoon, as well as in other mediums, such as the manuscript illumination of the Last Judgement in BNF Paris. gr. 74, fol. 51^v.⁷ Although these depict Christ sitting in public judgement assisted by the Virgin and the Apostles, like the Roman and Byzantine judge with his assessors, they give little sense of the architectural environment of the court itself. John Chrysostom made an interesting allusion

to the courts of his own day, around the year 400, when he described the Last Judgement: 'For as it is with the judges, when they judge publicly, the attendants drawing back the curtains show them to all; even so then likewise all men shall see Him sitting, and all the human race shall stand by and He will make answers to them by Himself.'⁸

The depictions of the Trial of Christ in the sixth-century Rossano Gospels are, however, of more assistance in imagining what a Late Antique or Byzantine court might have looked like. Indeed, William Loerke long ago suggested that they were a 'representation of the trial which is both faithful to the Gospel account and to that state of Roman jurisprudence which obtained when the prototype was made'.⁹ Two judicial scenes are depicted: the first, when Christ is led before Pilate by the Jewish high priests, and the second, where the choice between saving Barabbas or Christ is offered to the Jews. Loerke argued that the details of these scenes – the judge Pilate holding his scroll of office, sitting enthroned behind a covered table supplied with pens and inkwell and flanked by standard-bearers carrying *vexilla* with imperial insignia – present the setting as an imperial court of last resort, the proper place for a trial for treason.¹⁰ Certainly many of the elements found in both Roman and Byzantine courts are there: the insistence on a written judgement (hence the pens and ink), the presence of a shorthand writer compiling a court record in the scene where the choice is made between Christ and Barabbas (fol. 8^v), the entering of spoken pleas as the Jews make their case before Pilate. If the prototypes for the Rossano Gospel scenes were indeed, as Loerke has argued, wall-paintings in a *praetorium* (or *domus Pilati*) reconstructed in the Church of Hagia Sophia in Jerusalem in which sixth-century pilgrims were read the Gospel accounts of Christ's trial on Good Friday, then there is even more reason to believe that they convey 'a sense of authentic legal action'.¹¹ But apart from this one example, although we have some depictions of lawgivers (such as those of Justinian, Leo III and Constantine V in Cod. Marc. Gr. 172, fol. 27^v), we have no other visual indications of what Byzantine judges looked like, what they wore in court, or the physical environment in which they sat.¹² We are reliant on deductions from the titles of courts: the Judges of the *Vêlon*, for example, are generally supposed to have taken their name from the fact that they originally sat behind a curtain (*vêlon*) in the covered buildings of the Hippodrome in Constantinople; their subordinates were the 'Judges of the Hippodrome', again, an indication of the location where they met.¹³

But to begin at the beginning: what were Byzantine law courts for? As in Roman times, they were an expression of the imperial power, for justice was done in the emperor's name and by his officials. Unlike the early medieval West, where dispensing justice was often part of the rights of local lordship, the devolution of judicial power from the centre to officials in the provinces remained an imperial prerogative.¹⁴ The *prooimion* (preface) to a late tenth-century imperial edict emphasised the imperial responsibility of dispensing justice by evoking God as a 'just father', 'a scale of justice, a straight line and an accurate measuring rod'. 'Accordingly', it continued, 'it is incumbent on those to whom the rulership

has fallen to follow His example all the more . . . since they have been called by the lawgivers of old legal authorities and a blessing common and equitable.’¹⁵ As Jill Harries has so succinctly put it in the context of the Late Roman Empire: ‘Law was used as a tool of enforcement, an expression of power or a pawn in the endless games played out between emperor and citizen, centre and periphery.’¹⁶ This was still very much the case in Byzantium, where the use and acceptance of the imperial courts also implied the recognition of the legitimacy of the power that instituted them.¹⁷ But the fact that the courts were continuously *used* must also indicate their ongoing *usefulness*; they were a last resort when other means of dispute resolution – private agreement, mediation or arbitration – had failed.¹⁸ They served a practical purpose: to put a definitive end (it was hoped) to long-running and complex disputes. And lest it be thought that, given the expense involved, recourse to courts was the sole prerogative of the rich and powerful, the Athonite archives provide examples of groups of townspeople and villagers who also took their grievances to imperial courts in the province and, indeed, as far as Constantinople, much like the Syrian villagers who travelled at least 350 kilometres to Antioch in the third century AD to seek a hearing before the emperor Caracalla.¹⁹

Before turning to further discussion of judicial practices, one major problem needs to be acknowledged. This is the ‘black hole’ in the Greek legal evidence which exists between legal records from sixth- and early seventh-century Egypt and the earliest documents from the Athonite archives, which date to the end of the ninth century.²⁰ We have no official documentation in Greek about courts and legal practices for most of the late seventh, eighth and ninth centuries, though tantalising scraps of evidence appear in hagiography regarding saints falling foul of the legal system, particularly during the iconoclast periods.²¹ Coptic documents certainly provide evidence of continuing Roman judicial structures and of legal formulae in Greek modelled on Latin originals, but the increasing use of Arabic models for legal affairs in Egypt and the widespread disruptions caused by the invasions in the Balkans, Asia Minor and the Eastern provinces during the so-called Byzantine ‘Dark Age’ means there is a dearth of Byzantine administrative evidence for this period as a whole.²² So there is an inbuilt chronological challenge to any attempt at comparison. In addition, of course, one has always to bear in mind that things which may look much the same to us, may not, in fact, have *been* the same!

We need now to ask what provincial courts existed and where they were, how such courts were constituted, and what evidence of their personnel can be found. Then we must turn to court procedure and how decisions were recorded, before finally investigating what happened after a court hearing was concluded. If that was the end of the matter, how were decisions recorded and preserved? If not, what other courts might be involved in appeals? In every case, a comparative approach will be taken, surveying first the Late Roman evidence and then that of the Middle Byzantine period.

In the Late Roman Empire, cases involving sums of less than 300 *solidi* were often heard by the town magistrate; the duties of the *defensor civitatis* were spelled

out in Justinian's Novel XV of 535.²³ This individual also registered wills and donations, aided in tax collection and supervised people known for bad behaviour.²⁴ From Justinian's time onwards, the structure of the *iudices pedanei* (itinerant justices) was rationalised; Justinian himself acknowledged, however, that there was a shortage of skilled notaries, especially in the countryside. More important cases, those involving sums of at least 500 *solidi* (later, 750 *solidi*) and some appeals were heard by the *iudex* (the provincial governor or his deputy). From the fifth century onwards, petitioners addressed the *iudex* via a *libellus* which described the nature of the defendant and the accusation. In the 530s, two higher judges were appointed at Constantinople to hear appeals stemming from such cases. Special judges also existed; the emperor could delegate his authority to a designated individual to act in a particular case. The sixth-century historian Agathias relates a case of an imperial judge sent from Constantinople to Colchis who held court on a raised dais, with all the panoply of officials and shorthand writers, 'ushers and heralds', before a crowd of uncomprehending but apparently appreciative locals.²⁵

We can certainly see some parallels in tenth- and eleventh-century Byzantium, with one significant exception. Governors, or rather *stratēgoi* (the military governors of the new territorial divisions, or themes, which grew up after the seventh century) and their chief legal officials, the *kritai* (judges) still heard cases, as did subordinates. Judges, as we shall shortly see, remained itinerant, and, on occasion, specially delegated individuals were still sent out from Constantinople.²⁶ The Constantinopolitan judges of the *Velon* and Hippodrome also continued to serve in the provinces. As Andreas Gkoutzioukostas has shown, many of them can be seen judging cases in Macedonia in the eleventh century, and Eric Limousin has established that over half the judges known in the Peloponnese between the tenth and twelfth centuries were members of these courts.²⁷ But there is no longer any sign of legal officials with permanent imperial appointments operating in urban areas outside Constantinople, though, as we shall see, we do find private legal 'professionals', *taboullarioi* and *notarioi*.²⁸ John Haldon has suggested that the courts of the *defensores civitatis* fell into abeyance and were subsumed into those of the bishops during the late sixth and seventh centuries, a theory which is plausible but must remain a conjecture given the lack of evidence.²⁹ What is certain is that by the tenth and eleventh centuries, when evidence for the very existence of bishops' courts is scanty, senior churchmen often appear as assessors in lay courts. Such courts were chaired by lay officials, but these officials were drawn from the thematic administration or from Constantinople, not specifically from each town. In May 942, for example, when the monks of Athos and their lay neighbours, the inhabitants of the *kastron* (fortified town) of Hierissos, concluded an agreement concerning the boundary between their respective landholdings, the hearing occurred in Thessalonike before a 'bench' which consisted of the *stratēgos* Katakalon, the *kritēs* Zoetos, the *epoptēs* (financial official) Thomas, and the *basilikos*

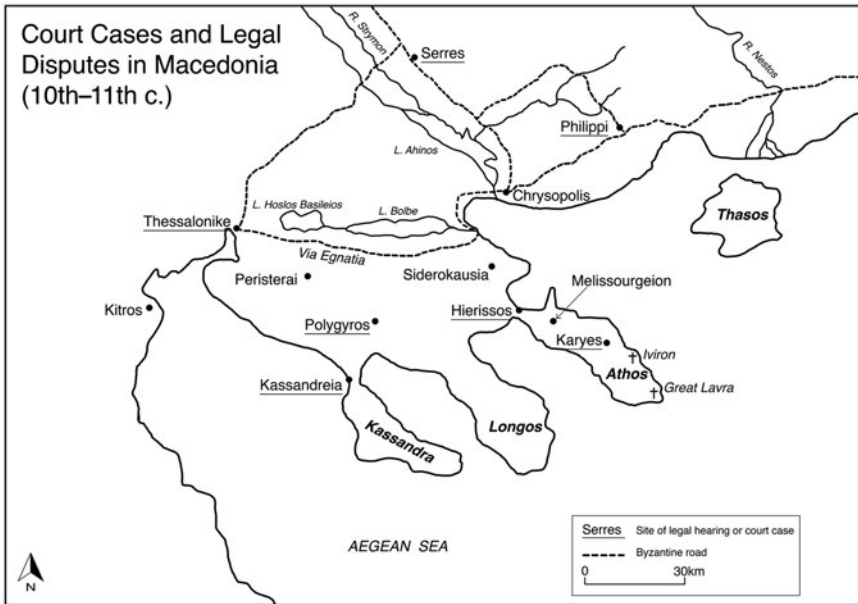


Figure 1.1 Map showing geographical distribution of court cases and legal disputes in Macedonia (tenth–eleventh centuries).

prôtospatharios Thomas Tzoulas, as well as Gregory, Archbishop of Thessalonike.³⁰ In November of 996, the *prôtospatharios* Nicholas, *kritês* of Strymôn, Thessalonike and Drougoubiteia, heard a case in Kassandreia in the Chalkidike in the company of the imperial *episkeptitês* and *prôtospatharios* Stephen and thirteen other assessors (*symponoi*). The *symponoi*, all holders of significant office or rank, included two bishops: Leo, Bishop of Kassandreia, and Panaretos, Bishop of Kitros.³¹ The Roman practice of dispatching an imperial official, rather than a professional jurist, to preside over legal proceedings, with a group of local *archontes* serving as assessors, seems to have endured. In the thoroughly Christianised society of the Byzantine empire, such notables naturally included members of the clergy.

This brings us to the question of where Byzantine courts convened. The urban context clearly remained important in this period, as courts often met in large cities like Thessalonike, Philippi and Serres, but also in smaller settlements such as Hierissos, Kassandreia and Polygyros. There is also evidence for the continuation of the Roman concept of itinerant justice.³² Although most of the documents in the Athonite archives do not record *where* cases were heard, some do, and it looks very much as though imperial officials came to specific locations to hear cases or proceeded on a recognised route to various locations where

there was an imperial *kathisma*. The word was commonly used to designate an administrative base for the use of travelling officials, maintained at the expense of the local population, which could also be the location for the hearing of legal cases, and, indeed, for the reading out and publicising of imperial legislation.³³ Byzantine judges, like their Roman antecedents, did not sit immobile in their provincial capitals.

But to which courts did litigants go? In Byzantium, the old Roman concept of the 'competent court' still persisted. In general, the court local to the defendant was the one in which cases were tried, although Constantinople served as the ultimate forum for all cases, whether involving residents or not. In 995, the inhabitants of Siderokausia 'requested' that a *dikastêrion* (court) be assembled to sort out their dispute with the monastery of John Kolobos at Hierissos. We do not know where it took place, but can conjecture that it was at Hierissos, where we know a case was heard in 1042.³⁴ The corporate status of a defendant was key to courts' jurisdiction: monks and clerics were to be disciplined before the local bishop, soldiers before a military judge, seamen before the *parathalassitês* and members of the guilds of Constantinople before the Eparch.³⁵ Yet the Athonite documents also preserve ongoing evidence of what Caroline Humfress has termed 'forum shopping', in which litigants selected the court that they hoped might provide the best result!³⁶ In 982, for example, the *hêgoumenos* Symeon of Iviron acquired possession of the monastery of Kolobos, whose clerics had been engaged in a long-running dispute with the inhabitants of Hierissos over the ownership of lands located at the gates of the *kastron*. In the course of the conflict, each side, as the document drawn up by Symeon relates, 'had had recourse to local judges, to *stratêgoi* and to judges in Constantinople and each side had alternately won and lost cases'. Symeon, however, declared that he could not bear either the continual quarrelling or the expensive trips to the capital any longer and, 'since he was on good terms with the inhabitants', wanted to 'renounce all confrontation'.³⁷ This suggests the potential availability of multiple courts, in addition to a process of appeal. The legal compendium known as the *Peira*, which presents cases heard by the Constantinopolitan judge Eustathios Rhomaios in the early eleventh century, mentions that many of them had originated in the provinces and had been heard by local judges before being referred onwards to the capital.³⁸ This surely does not mean that there was no justice to be had in the provinces, but that provincial courts could find against one, so that, as in Rome, parties who possessed both wealth and patience often continued to litigate until they achieved the desired result.³⁹ In the case of the Holy Mountain itself, from the late tenth century onwards the Athonites enjoyed the extremely valuable privilege of dealing themselves with all disputes concerning lands *within* the mountain; the *Prôtos* (senior abbot) and other *hêgoumenoi* constituted the court, since 'worldly courts' were deemed unsuitable for men living the spiritual life.⁴⁰ This perhaps amounted to the ultimate 'forum choice' – a highly significant one in that it completely removed a region of the Empire from imperial legal jurisdiction.⁴¹

Let us now move on to the courts themselves. As we have seen, the Roman principle of the presiding *iudex*, sitting alongside a group of assessors (*consilium* in Latin, *symponoi* in Greek), who sometimes had the legal expertise which the judge was not expected to have, certainly survived. The assessors, as in Roman times, were local men of substance: *archontes*. In 1112, in a case at Thessalonike involving the sale of dowry lands, the assessors included one Kassandrenos (presumably a landowner in the Chalkidike); Spathas, a property owner in Thessalonike; Stephen Argyros, the *primikêrios* (head) of the clerical *nomikoi* of the city; the *magistros* Constantine Argyros and Leo Sikoundenos, the owner of an *oikos* (household unit) in Thessalonike.⁴² There does not seem to have been any set number of assessors; they could be as few as five or as many as thirteen or fourteen. But what they all had in common was their significant standing in local society, expressed by positions in ecclesiastical or secular administrative structures, or by imperial court ranks. Had anything changed here? Not much, it would seem.⁴³

About other court personnel we know remarkably little. True, we have references to the *taboullarioi* who, like their Roman antecedents, the *tabelliones*, often drew up the records of dispute settlements or private *acta*. The word *nomikos* is also used for such people, who, in a departure from classical precedent, were often members of the lower clergy. The Church, too, developed its own notariat from the fourth century onwards.⁴⁴ Such men are clearly attested in major cities. The tenth-century *Book of the Eparch*, which deals with the corporations of Constantinople, discusses that of the *taboullarioi* in detail. And as we have seen, the leading clerical *nomikos* of Thessalonike is mentioned as an assessor at the end of the eleventh century, when he still retained his Late Roman function of assisting the judge.⁴⁵ In more local venues, too, the documents were often drawn up by those styling themselves as *notarios/nomikos*.⁴⁶ But can we discern other legal professionals in the Byzantine court? Shorthand writers and other court reporters, like those found in Late Roman courts and pictured in the Rossano Gospel, fol. 8^v, who would have noted down the judge's interrogation and the replies of the accused and his defenders, are never specifically mentioned in the documents.⁴⁷ But many of the documents preserve information about oral proceedings. The account of the dispute in court between the monastery of John Kolobos and the villagers of Siderokausia (a dispute which itself shows the continuity of the Roman tradition of group litigation) is very detailed about what was said by both parties, even remarking that the villagers 'all shouted together as rustics do'.⁴⁸ One rare type of act preserved in the Ivron archive is, in fact, a registering of oral testimony itself (*dôsis tôn zôntôn phônôn*: literally a 'giving of living voices'), a record of the testimony given aloud by five witnesses about the status of disputed land.⁴⁹ Someone must have taken all this down; that someone was surely some kind of court reporter. There is a certain amount of similarity between the makeup of the Middle Byzantine provincial court and that of its Roman antecedent, with one glaring omission: there are no lawyers. No provincial Ciceros or professional advocates appear deploying their rhetorical skills on behalf of the parties involved. Instead, the parties spoke to the judge on their

own behalf, or appointed a spokesman. Where had the lawyers gone? Their fate was surely bound up with that of the cities in which, in Roman times, they had been trained.⁵⁰ We know nothing about legal training from the beginning of the seventh century to the beginning of the ninth century, and it is not until after the mid-eleventh century that we hear again of *synēgoroi* (lawyers) and their 'endless speeches' in court in Constantinople.⁵¹ Such legal eagles do not, however, appear in the Athonite documents for the period and were probably rare in the provinces.

What about court procedure? There are tantalising indications that many practices found in Roman courts still survived in the Byzantine provinces. In 1042, the monk Luke, *oikonomos* of a *metochion* (daughter house) of the Great Lavra, was the subject of a complaint (*en[gl]klêsis*) brought to the *kritês* John, of the theme of Boléron, Strymon and Thessalonike. The complaint, brought by the monastery of Ivron, concerned his alleged usurpation of a field near Hierissos. Luke, in turn, requested a *prothesmia* (fixed time period) to be granted so that he might produce titles of ownership and send a representative from the mother house to present the case. The judge allowed him a *prothesmia* of five days, but, in the event, no one from the Lavra turned up.⁵² Here there are distinct similarities with the way Late Roman courts operated. Litigants could request that local magistrates hear cases, and the concept of imposing time limits for various legal activities was a common one in Roman law.⁵³ Another feature common to both Late Roman and Byzantine courts was the oral interrogation, sometimes under oath, of the litigants by the judge, possibly prompted by his *symponoi* when they were present, which was not always the case. The judge, or rather the official chairing the proceedings, thus took a lead role in shaping them; indeed, the questions he chose to ask (or *not* to ask) could have a strong bearing on the outcome of the case.⁵⁴

The Roman practice of giving an oath in court attesting to a statement's veracity was often still considered the deciding factor in a case and usually trumped all other evidence.⁵⁵ A document from the Lavra archive of 1076–7 relates that the monk Smyrnaios, *oikonomos* of the Monastery of Saint Andrew of Peristerai, a dependency of the Lavra, demanded that the inhabitants of the village of Adrameri should swear that they recognised that they had wrongly occupied lands which the monastery had long claimed for itself.⁵⁶ He wished them to submit to the legal device of the *horkos epaktos* or *horkos ex'apagôgês*, an oath which one party administered to another in front of a court and which made the result of the conflict contingent on the taking or refusing of the oath. Courageously, the villagers refused to do so.⁵⁷ In a case held in 1056 at Philippi, and subsequently at Serres, concerning the disputed Monastery of Melissourgeion on the borders of Athos, the *kritês* Leo Thylakas ordered the monks to produce the witnesses to the earlier documents which established their possession so that the witnesses could confirm their signatures by oaths. Unfortunately, all of the latter were dead. At a later stage, the opposing party, namely the *hégoumenos* of Ivron, requested that the *epitropoi* (guardians) of the property should swear that it had never been owned by Ivron. If they were

prepared to do so, he would abandon his legal action. Not only did the *epitropoi* decline to take the oath, but also the judge compelled them to make a formal statement in writing to that effect (*paraitêsis tou horkou*: 'a request to be released from the oath'). All these procedures had a long history in Roman law and confirm the continuing importance of the oath in Byzantine legal practice, even when, as in these cases, they involved monks who would naturally be averse to taking them.⁵⁸

Roman law procedures were, however, sometimes cited in a somewhat slapdash manner. A good example comes from a Lavra document of 1081, in which the 'Aquilian Stipulation' is mentioned.⁵⁹ This was a long-established Roman law mechanism used to extinguish obligations between two parties by listing their credits and debits towards each other. The party 'in credit' established an amount of money that the other party owed, putting a price on freeing them from obligation through a process called *acceptilatio*.⁶⁰ In this case, the Latin Amalfitan monks of Athos had bought a property in the past from the monastery of Kosmidion in Constantinople, and the document of 1081 was sorting out the settlement of the remaining obligations (*kata akouilianê eperôtêsin kai akkeptilatiôna* – actually written in the document as '*aleptalaiôna*' – 'according to the Aquilian Stipulation and the *acceptilatio*').⁶¹ This document is particularly interesting because it was not drawn up on Athos or, indeed, in the provinces, but by John, imperial *klêrikos* and *notarios* of the famous Constantinopolitan church of the Theotokos at Blachernai.⁶² Lest we become too enthusiastic about the apparent legal sophistication of the monasteries concerned, we should also note the rather engaging comment entered on behalf of the monks of Kosmidion: 'We called in two *tabelliones* (notaries) who went through it with us and explained it word for word.'⁶³ We do not know whether the Amalfitan monks of Athos were similarly guided through this process, which even those in the capital, where legal sophistication was undoubtedly greater, had difficulty comprehending. There was indeed a deal of difference between making use of the technicalities and language of Roman law and fully understanding them, a position with which those who have ever had to do with present-day legal mechanisms can easily sympathise.

Perhaps the most 'Roman' trait of all, which was continued and indeed amplified in the Byzantine world, was the need to present documents and to guarantee their validity. In February 1112, for example, a certain Eudocia, wife of Stephen Rasopoles, sought permission from the *sebastos* Andronikos Doukas, *praitor* and *doux* of Thessalonike, to sell lands which had formed part of her dowry, and which by law could not be freely sold while she was married. The account of the hearing refers to multiple documents: Eudocia's *deêsis* (request) to the *doux*, phrases from which are quoted; her marriage contract, which contained details regarding the property in question; the *lysis* (instruction) of Andronikos Doukas to his official, the *proedros* and *logariastês* Elpidios Chandrenos, to draw up a 'permission to sell' and the latter's instruction (*dekretion*) to his subordinates to take the matter forward, which is actually the document we have containing

extracts from all the others.⁶⁴ If we find all this somewhat complex, we should take comfort from the fact that the interested parties did so as well. Halfway through, the document notes that 'Eudocia and Stephen Rasopoles have asked the *taboullarios* (notary) Nicholas Kontopaulos . . . to explain to them in detail the significance of the present document. They therefore cannot pretend in the future that they did not understand the text that was read to them.'⁶⁵

Parties who could not produce the relevant documents were often in trouble. The 1056 hearing about Melissourgeion, referred to earlier, occurred in part because the Empress Theodora, the sole ruler at the time, instructed the judge Leo Thylakas to 'examine with care the validity of the documents; to have confirmed by oaths the testimony of people who are still alive and who signed the documents. . . . and to subject to legal examination and comparison (*nomikê paratêrêsis* and *synkrisis nomikê*) with other documents the signatures of those who are dead', in order 'to do everything to establish the truth'.⁶⁶ All these procedures accord well with Late Roman practices and match the contemporary insistence of the *Peira* that 'all those giving judgements should . . . state their view clearly *in writing*' and that 'a sentence verbally delivered is not valid until it has been set down *in writing*'.⁶⁷ As in Late Antiquity, where judges had to furnish their decision (*opinio*) in writing within ten days after they had been read out, it is likely that appeals to a higher court could only be made if there had been a *written* judgement.⁶⁸

What happened to all this writing? Many Athonite documents are, in fact, 'portmanteau documents', containing both citations and what look very much like verbatim quotations from others within them, which raises the question of where the earlier texts could be found. Interested parties kept copies of legal judgements affecting them, especially, of course, when they concerned property, as most of the Athonite judgements do. Even the villagers of Siderokausia were able to produce legal documents – official boundary descriptions made in the past, for example – which raises the interesting possibility that they had their own archive.⁶⁹ Monastic institutions certainly did; the ones from Athos and Patmos have, to a large extent, survived, and we have fragments of others.⁷⁰ We also know that copies of judgements which affected matters of interest to the Byzantine state administration, such as exaction of or exemption from taxes, were filed in the relevant *offikia* (the administrative bureaux in Constantinople), since the documents themselves often stipulate that such copies should be made and where they should be sent. We can suggest that in matters concerning the lay church copies of documents were kept in episcopal archives, as they had been, for example, in Ravenna for the period 445–700. It remains to be seen whether more detailed investigation will produce evidence for provincial lay legal archives on a par with those which Posner described for the Roman world, and which certainly continued to exist in Late Antique Egypt.⁷¹ But since traces exist of quite local military and fiscal records (cadasters, for example, of which we have a few Byzantine fragments), we should surely presume that there were indeed thematic legal archives, the maintenance of which was the task of the *kritês* and his officials.⁷²

Of course, many cases rarely ended with one hearing. The continuing Roman custom of the *dialysis* – the listing of previous litigation on a given matter in the document concerned with its final regulation – means that we often get a glimpse of cases which had gone on for thirty or forty years, migrating from the courts in the provinces to Constantinople, then back again. What the precise relationship between these various courts was is a difficult matter to elucidate, though the cases related in the *Peira* clearly indicate that higher judges were frequently asked to adjudicate in particularly tricky cases, or, indeed heard them on appeal. Moreover, as has been noted, the fact that over half the known judges in the Peloponnese between the tenth and twelfth centuries were also judges at Constantinopolitan courts could indicate not only that they had been sent *down* from the capital to hear specific cases, but also precisely the opposite: that those acting as thematic judges were also often linked to these higher courts of appeal and could send cases *up* the line.⁷³

As these few examples have demonstrated, the Athonite archives present numerous instances where the procedures and mechanisms of Roman law clearly survived. Further work needs to be done on both the written sources of the legal practices which have been outlined and on the educational processes by which they were transmitted. In particular, the potential circulation of normative legal material outside Constantinople needs to be investigated, as does the possible existence of formal legal training outside the capital.

Much remains to be elucidated, but what might be some preliminary conclusions? A substantial amount of Late Roman court procedure seems to have survived intact through the ‘Black Hole’ of the ‘Dark Ages’ into the Middle Byzantine period. Many of the preoccupations of Byzantine courts – the oral or written deposition of evidence, the careful documentation of legal procedures and their outcomes, and the preservation of the documents that resulted – were identical to their Late Roman antecedents. Legal professionals and an ability to cite (or miscite!) the law were still to be found in the provinces. The ability of the wealthy or otherwise powerful to prolong cases for years by making endless appeals is also more than evident in both periods. So what *had* changed? There was certainly a perceptible diminution in provincial legal culture by the Middle Byzantine period. Flourishing cities such as Constantinople and Thessalonike clearly still harboured legal experts who could advise litigants; in the countryside there were still *nomikoi* and *taboullarioi* who could draft documents. But the local legal ‘scene’ so vividly depicted by scholars of Late Antique Egypt and Ravenna had disappeared. In smaller towns there were no permanent legal officials, nor did professional lawyers have an important part to play. Instead, imperial officials, often with little knowledge of the law, controlled court proceedings. In fact, courts had become the province of administrators rather than of lawyers. Nonetheless, local worthies still occupied an important role and, from the fourth century onwards, the groups of *archontes* visible to us as judges and witnesses more often than not included churchmen. The evidence from the Athonite archives thus supports an argument for continuity in the practical application of law

from the Late Roman to the Byzantine periods. The fact that cases which first arose in the backwoods of Eastern Macedonia could find their way to Thessalonike and onwards to Constantinople is proof, if proof were needed, of the continuing importance of the ‘giving of justice’ to the maintenance of imperial power and its mystique.

Notes

- 1 Discussions of Byzantine law still tend to focus on legal literature rather than legal practice. For example, the only relevant section in E. Jeffreys, J.F. Haldon and R. Cormack (eds.), *The Oxford Handbook of Byzantine Studies* (Oxford, 2008), by B. Stolte, pp. 691–698, is entitled ‘Justice; Legal Literature’. The chapter on ‘Roman Law’ in J. Herrin’s more general treatment *Byzantium. The Surprising Life of a Medieval Empire* (Princeton, 2008), pp. 70–79, also mainly deals with the promulgation of law. The collection of papers in L. Burgmann (ed.), *Fontes Minores*, XI (Frankfurt-am-Main, 2005) and the work of Z.R. Chitwood, *Byzantine Legal Culture under the Macedonian Dynasty, 867–1056* (unpublished doctoral dissertation, Princeton University, 2012) advocate some new approaches to the study of Byzantine law, but the appearance of a volume entitled something like *Byzantine Law in Practice* seems as far away as ever. My thanks to Zachary Chitwood for generously providing me with a copy of his dissertation.
- 2 W.N. Hargreaves-Mawdsley, *A History of Legal Dress in Europe* (Oxford, 1963). The UK Supreme Court (est. 2009) has broken new ground by banishing traditional legal ‘costume’.
- 3 As witness the various works of the American scholar B.A. Garner, e.g. *Legal Writing in Plain English*, 2nd edn (Chicago, 2013) and *A Dictionary of Modern Legal Usage*, 3rd edn (New York, 2011).
- 4 See the series *Archives de l’Athos* (Paris, 1937–) and R. Morris, ‘Documents: Athos’, in E. Jeffreys, J.F. Haldon and R. Cormack (eds.), *The Oxford Handbook of Byzantine Studies*, pp. 136–140.
- 5 For judges in Constantinople, see A.E. Gkoutzioukostas, *Η απονομή δικαιοσύνης στο Βυζάντιο (9^{ος}–12^{ος} αι.)* (Byzantine Texts and Studies, 37, Thessalonike, 2004), as well as the short discussion in Chitwood, *Byzantine Legal Culture*, pp. 25–26. For the question of which courts heard which types of cases, see R.J. Macrides, ‘The Competent Court’, in A.E. Laiou and D. Simon (eds.), *Law and Society in Byzantium: Ninth–Twelfth Centuries* (Washington, DC, 1994), pp. 117–129, repr. in *Kinship and Justice in Byzantium, 11th–15th Centuries* (Aldershot, 1999), Study VIII. D. Simon, ‘Byzantinische Provinzialjustiz’, *Byzantinische Zeitschrift* 79 (1986): pp. 310–343, discusses ‘real-life’ cases heard by the judicial official (and later Archbishop of Ohrid) Demetrios Chomatianos (died c. 1236) in the region of Epiros at a later period.
- 6 But see, for example, the studies of R. Macrides in *Kinship and Justice*, and, more recently, F. Botta, ‘Per la storia del diritto penale bizantino. Aspetti del regime repressivo del “plagium” fra tradizione romana e innovazione orientale’, in J.H.A. Lokin and B.H. Stolte (eds.), *Introduzione al diritto bizantino: da Giustiniano ai Basilici* (Pavia, 2011), pp. 617–664. My thanks go to Ruth Macrides for this reference, which was not available to me at the time of writing.
- 7 For the Last Judgement, see G. Podskalsky and A. Cutler, ‘Last Judgment’, in A.P. Kazhdan, A.M. Talbot, A. Cutler, T.E. Gregory and N.P. Ševčenko (eds.), *Oxford Dictionary of Byzantium (ODB)* (3 vols., Oxford, 1991), Vol. 2, pp. 1181–1182. For a reproduction of BNF Paris. gr.74, fol. 51^v, see L. Nees, ‘The Illuminated Manuscript of the *Visio Baronti* [Revelatio Baronti] in St Petersburg (Russian National Library, cod.lat.Oct.v.I.5)’, in C. Cubitt (ed.), *Court Culture in the Early Middle Ages* (Proceedings of the First Alcuin Conference, Turnhout, 2003), pp. 91–128 (fig. 7, p. 105).

- 8 John Chrysostom, 'Homily LVI', in G. Prevost (ed.), *The Homilies of S. John Chrysostom on the Gospel of St. Matthew*, Part II (Oxford, 1843), p. 765.
- 9 W. Loerke, 'The Miniatures of the Trial in the Rossano Gospels', *Art Bulletin* 43/3 (1961): pp. 171–195 (p. 171).
- 10 Loerke, 'The Miniatures': pp. 180–181.
- 11 Ibid: pp. 189–191.
- 12 J. Cotsonis, 'The Virgin and Justinian on Seals of the *ekklesiekdikoi* of Hagia Sophia', *Dumbarton Oaks Papers* 56 (2002): pp. 41–55 (p. 50). See also G. Prinzing, 'Das Bild Justinian in der Überlieferung der Byzantiner vom 7. bis 15. Jahrhundert', in D. Simon (ed.), *Fontes Minores VII* (1986), pp. 1–99 (pp. 96–7). For a reproduction of the Cod. Marc. Gr. 172, fol. 27^v, see Laiou and Simon (eds.), *Law and Society*, p. ii.
- 13 See A. Kazhdan, 'Velum', in *ODB*, vol. 3, pp. 2157–2158, and N. Oikonomides, *Les listes de préséance byzantines des IX^e et X^e siècles* (Paris, 1972), pp. 322–323.
- 14 See the comments of M. Bartusis in 'Immunity', *ODB*, vol. 2, p. 189, and in 'Introduction', in W. Davies and P. Fouracre (eds.), *Property and Power in the Early Middle Ages* (Cambridge, 1995), pp. 12–15.
- 15 Novel of Nikephoros Phokas (966–7), in E. McGeer (ed. and trans.), *The Land Legislation of the Macedonian Emperors* (Medieval Sources in Translation, 38, Toronto, 2000), Document K, pp. 99–101 (p. 99).
- 16 J. D. Harries, *Law and Empire in Late Antiquity* (Cambridge, 1999), p. 8.
- 17 See Chitwood, *Byzantine Legal Culture*, chapter 1, on the 'Ideological Impetus of the Macedonian Codification Project' and the use of Roman law as a means of legitimising dynastic authority in the late ninth and tenth centuries.
- 18 For a general discussion of the role of dispute settlement (including court hearings) in early medieval society, see C. J. Wickham's contribution to the 'Conclusion' in W. Davies and P. Fouracre (eds.), *The Settlement of Disputes in Early Medieval Europe* (Cambridge, 1986), pp. 228–240. The various forms of dispute settlement in the early Byzantine period are outlined in C. Humfress, 'Law and Legal Practice in the Age of Justinian', in M. Maas (ed.), *Cambridge Companion to the Age of Justinian* (Cambridge, 2005), pp. 161–184 (p. 176).
- 19 B. Stolte, 'Jurisdiction and the Representation of Power, or the Emperor on Circuit', in L. De Blois, P. Erdkamp, O. Hekster, G. De Kleijn and S. Mols (eds.), *The Representation and Perception of Roman Imperial Power* (Proceedings of the Third Workshop of the International Network Impact of Empire (Roman Empire, c. 200 B.C.–A.D. 476), Netherlands Institute in Rome, March 20–23, 2002 (Amsterdam, 2003), pp. 261–268, (p. 266). P. Sarris, 'Law and Custom in the Byzantine Countryside from Justinian to Basil II (c. 500–1000)', in A. Rio (ed.), *Law, Custom, and Justice in Late Antiquity and the Early Middle Ages* (Proceedings of the 2008 Byzantine Colloquium, Centre for Hellenic Studies, King's College, London) (London, 2011), pp. 23–61, argues (p. 57) that 'awareness of due process and the letter of the law was not lost on members of village society'. The activities of the villagers of Siderokausia, described on pp. 23–24 and 26, provide further evidence in support of this view.
- 20 For Late Roman and Byzantine legal procedures in Egypt, see J. G. Keenan, J. G. Manning and U. Yiftach-Firanko (eds.), *Law and Legal Practice in Egypt from Alexander to the Arab Conquest* (Cambridge, 2014). J. G. Keenan's contribution 'Law in the Byzantine Period', pp. 23–28, argues (pp. 24–25) that Justinianic legislation was known and even cited in papyrus, building on the work of J. Beaucamp, 'Byzantine Egypt and Imperial Law', in R. S. Bagnall (ed.), *Egypt in the Byzantine World* (Cambridge, 2007), pp. 271–287.
- 21 For example, there is the case of Saint Stephen the Younger, who, according to Stephen the Deacon's account of his life, was brought before the emperor Constantine V (741–75) as the latter sat 'between two of his *archontes*', or leading men, on the terrace of the Pharos within the Great Palace complex in Constantinople. Stephen, interrogated by Constantine in a quasi-judicial way, appealed to the sovereign: 'Emperor, if you wish to condemn me, punish me! But if you wish to undertake an interrogation, let mercy temper your heart;

- for it is thus, in fact, that the laws ordain that judges should render justice' (my translation). See M.-F. Auzépy (ed. and trans.), *La vie d'Étienne le Jeune par Étienne le Diacre*, Birmingham Byzantine and Ottoman Monographs, 3 (Aldershot, 1997), chapter 55, p. 155 (Greek) and p. 253 (French). The saint was then confined to the Praetorium, the prison of Constantinople. There is much more work to be done on the theme of law and justice as reflected in hagiography and in literature in general, but see R. Macrides, 'The Law outside the Lawbooks: Law and Literature', in L. Burgmann (ed.), *Fontes Minores*, XI (2005), pp. 133–145, for some fascinating perspectives, as well as K.A. Bourdara, *Το δίκαιο στα αγιολογικά κείμενα* (Forschungen zur byzantinischen Rechtsgeschichte 2, Athener Reihe) (Athens, 1987).
- 22 For Coptic documents, see T.S. Richter, 'Byzantine Sales: Some Aspects of the Development of Legal Instruments in the Later Roman and Byzantine Periods', in Keenan *et al.* (eds.), *Law and Legal Practice in Egypt*, pp. 83–95 (pp. 89–92) and L.S.B. MacCoull, *Coptic Legal Documents: Law as Vernacular Text and Experience in Late Antique Egypt*, Arizona Studies in the Middle Ages and the Renaissance 32 (Turnhout, 2009), p. xxi. J.F. Haldon, *Byzantium in the Seventh Century: The Transformation of a Culture* (Cambridge, 1990) argues (pp. 275–276) that since the mid-eighth-century law code of the *Ekloga* mentions civil governors and judges (*dikastai*), such offices may well have remained extant, with the administration of justice in the provinces essentially continuing on Late Roman lines, save that the old diocesan level of justice was replaced by that of the themes as they came into being. The lists of precedence (*taktika*) of the early ninth century preserve the names of some Late Roman legal officials, such as the praetors, but they are now active at the thematic level. Evidence from Ravenna would seem to support a certain degree of continuity. While the last Exarch, Eutychius (727–751), can be found giving judgment in a dispute, much like a Late Roman provincial governor, by the eighth century the judicial authority of the tribunes (military officials) seems to have extended to all citizens, rather like that of the thematic *stratēgoi* later emerging in the East; see T.S. Brown, *Gentlemen and Officers. Imperial Administration and Aristocratic Power in Byzantine Italy, 554–800* (Rome, 1984), pp. 58, 151.
 - 23 This paragraph owes much to Humfress, 'Law and Legal Practice', pp. 176–177.
 - 24 See Justinian, *Novel* XV, ii; v.2; vi, trans. F.H. Blume and ed. T.G. Kearley, at <http://www.uwoy.edu/lawlib/blume-justinian/ajc-edition-2/novels/1-40/novel%2015_replace ment.pdf> [accessed 6 September 2014]. A new edition of Justice Blume's translation, under the general editorship of B.W. Frier, is forthcoming from Cambridge University Press.
 - 25 See Humfress, 'Law and Legal Practice', pp. 177–178, for a diverting account of the trial; the source is Agathias, *Histories*, IV.i.2–XI.iii.
 - 26 For attempts to regulate judges' salaries in the mid-tenth century, see H. Saradi, 'The Byzantine Tribunals: Problems in the Application of Justice and State Policy (9th–12th c.)', *Revue des Etudes Byzantines (REB)* 53 (1995): pp. 165–204 (pp. 182–183).
 - 27 A. Gkoutzioukostas, 'Judges of the Velum and Judges of the Hippodrome in Thessalonike (11th c.)', *Byzantina Symmeikta* 20 (2010): pp. 67–84. E. Limousin, 'L'administration byzantine du Péloponnèse (X^e–XII^e siècles)', in J. Renard (ed.), *Le Péloponnèse: Archéologie et histoire* (Actes de la Rencontre internationale de Lorient, 12–15 mai, 1998) (Rennes: Collection Histoire, 1999), pp. 295–307.
 - 28 For *taboullarioi* and *notarioi* see p. 23.
 - 29 Haldon, *Byzantium in the Seventh Century*, p. 275.
 - 30 See R. Morris, 'Dispute Settlement in the Byzantine Provinces in the Tenth Century', in Davies and Fouracre (eds.), *Settlement of Disputes*, pp. 125–147, for a discussion of this case.
 - 31 See R. Morris, 'Travelling Judges in Byzantine Macedonia (10th–11th c.)', *Zbornik Radova Vizantološkog Instituta* 50 (2013): pp. 351–361 (pp. 353–354). The case may be found in J. Lefort, N. Oikonomidès, D. Papachryssanthou and H. Mététréveli (eds.), *Actes d'Iviron*, vol. I (Archives de l'Athos, 14, Paris, 1985), no. 10 (Nov. 996).

- 32 See G. P. Burton, 'Proconsuls, Assizes and the Administration of Justice under the Empire', *Journal of Roman Studies* 65 (1975): pp. 92–106.
- 33 On *kathismata*, see Morris, 'Travelling Judges', pp. 356–357 and n. 23.
- 34 *Iviron*, I, ed. J. Lefort *et al.*, nos. 9 (995) and 27 (1042).
- 35 Macrides, 'The Competent Court', pp. 119–122; Saradi, 'Byzantine Tribunals', p. 173.
- 36 C. Humfress, 'Law's Empire: Roman Universalism and Legal Practice', in P. J. du Plessis (ed.), *New Frontiers: Law and Society in the Roman World* (Edinburgh, 2013), pp. 73–101, repr. in C. Rapp and H. Drake, (eds.), *The City in the Classical and Post-Classical World: Changing Contexts of Power and Identity* (Cambridge, 2014), pp. 81–108, discusses the ways in which people approached law in the Late Roman Empire and poses the important questions of 'whether, how and why' people availed themselves of the legal system. 'Forum shopping' is discussed in C. Humfress, 'Defining the Politico-Religious Sphere Case-by-Case: A Comparative Approach to Late Roman and Ecclesiastical Law', in G. A. Cecconi and C. Gabrielli (eds.), *Politiche religiose nel mondo antico e tardoantico: poteri e indirizzi, forme del controllo, idee e prassi di tolleranza* (Atti del convegno internazionale di studi, Florence, 24–26 September, 2009) (Bari, 2011), pp. 305–318. My thanks to Caroline Humfress for providing me with copies of these papers before publication.
- 37 *Iviron*, I, ed. J. Lefort *et al.*, no. 4 (982).
- 38 The *Peira*, or *Practica ex actis Eustathii Romani*, may be found in I. Zepos and P. Zepos (eds.), *Jus Graeco-Romanum* (8 vols., Athens, 1931–6; repr. Aalen, 1962), Vol. 4. A new edition by a German team is in preparation in Frankfurt.
- 39 For Byzantine appeals, see A. Kazhdan, 'Appeal', *ODB*, Vol. 1, p. 142 and Simon, 'Byzantinische Provinzialjustiz', pp. 340–342.
- 40 *Typikon* of John Tzimiskes (971–972), trans. G. Dennis, in J. Thomas and A.C. Hero (eds.) with G. Constable, *Byzantine Monastic Foundation Documents* (5 vols., Dumbarton Oaks Studies, 25, Washington, DC, 2000), Vol. 1, no. 12, p. 235.
- 41 It would be interesting to know whether this privilege applied to the other 'holy mountains' of Byzantium, but not enough documentation survives from them to make this possible. For recent work, see P. Soustal (ed.), *Heilige Berge und Wüsten: Byzanz und sein Umfeld* (Referate auf dem 21. Internationalen Kongress für Byzantinistik, London, 21–26 Aug. 2006) (Veröffentlichungen zur Byzanzforschung, 16; Denkschriften der phil.hist. Klasse, 379) (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 2009).
- 42 N. Oikonomidès (ed.), *Actes de Docheiariou* (Archives de l'Athos, 13, Paris, 1984), no. 3 (1112).
- 43 The *Peira*, dealing with the matter of majority or individual verdicts, took as an example a case involving ten 'judges'. See *Peira*, LI, 16, in L. Burgmann's German translation and commentary, 'Peira 51: Übersetzung und Kommentar', in S. N. Troianos (ed.), *Kateuodion; In Memoriam N. Oikonomides* (Forschungen zur byzantinischen Rechtsgeschichte, 15) (Athens, 2008), pp. 5–26 (pp. 13–15).
- 44 H. Saradi, *Le notariat byzantin du IX^e au XV^e siècles* (Athens, 1991), pp. 34, 53.
- 45 See n. 37. Stephen Argyros, the *primikêrios* of the Thessalonian church *nomikoi*, is also known from an earlier document from the Lavra archive; see A. Guillou, P. Lemerle, N. Svoronos and D. Papachryssanthou (eds.), *Actes de Lavra* (4 vols., Archives de l'Athos, 5, Paris, 1970), Vol. I, no. 53 (1097), and M. Jeffreys, O. Karagiorgou, T. Papacostas, J. Ryder and M. Whitby (eds.), *Prosopography of the Byzantine World* (PBW) (London, 2011): <<http://db.pbw.kcl.ac.uk/pbw2011/entity/person/143535>> [accessed 14 August 2014]. For the *taboullarioi* of Constantinople, see J. Koder (ed. and trans.), *Das Eparchienbuch Leons des Weisen, (Corpus Fontium Historiae Byzantinae, ser. Vindob., vol. XXXIII, Vienna, 1991), pp. 74–85.*
- 46 For instance, in *Lavra*, I, ed. A. Guillou *et al.*, no. 1 (897), a sale of land was drawn up by the scribe and *notarios* Nicholas; in no. 18 (1014), an act of donation was drawn up by the archdeacon and *nomikos* of Hierissos (i.e., a member of the bishop's staff), Constantine.

- 47 See Loerke, 'The Miniatures', fig. 9, and Harries, *Law and Empire*, p. 99, for details of the Late Antique *verbatim* court reports surviving from Africa and Egypt.
- 48 Iviron, I, ed. J. Lefort *et al.*, no. 9 (1995). The case is discussed in detail in R. Morris, 'Communal Legal Activity in the Athos Region in the Tenth Century', in Rio (ed.), *Law, Custom, and Justice*, pp. 63–76; for an English summary of the exchanges in court, see p. 74. For the community or group as a legal entity under Roman law, see A. Borkowski and P. du Plessis, *Textbook on Roman Law*, 3rd edn (Oxford, 2005), pp. 37–38.
- 49 Iviron, I, ed. J. Lefort *et al.*, no. 15 (1008).
- 50 See Chitwood, *Byzantine Legal Culture*, chapter 4. Chitwood rightly warns, however, against seeing the creation of the imperial law school in 1047–8 as a new departure; he notes that it 'reflected rather than initiated an increasing interest in legal education' (p. 181).
- 51 Chitwood, *Byzantine Legal Culture*, p. 143. For *synégoroi* in Rome, see J.A. Crook, *Law and Life of Rome* (Ithaca, 1967), p. 8; for their counterparts in Byzantium, see A. Kazhdan, 'Lawyer', *ODB*, vol. 2, p. 1196. See *Novel II* in R. Macrides (ed. and trans.), 'Justice under Manuel Komnenos: Four Novels on Court Business and Murder', in D. Simon (ed.), *Fontes Minores VI* (1984), pp. 99–204, repr. in *Kinship and Justice in Byzantium*, Study IX, pp. 126–127, where the emperor criticises 'the endless speeches of those who plead in court and their great obstruction'.
- 52 Iviron, I, ed. J. Lefort *et al.*, no. 27 (1042). For the *kritēs* John and other cases in which he was involved, see *PBW* (2011): <<http://db.pbw.kcl.ac.uk/pbw2011/entity/person/107318>> [accessed 17 February 2014] and P. Lemerle, 'Note sur la date de trois documents athonites et sur trois fonctionnaires du XI^e siècle', *REB* 10 (1952): pp. 109–113.
- 53 See Humfress, 'Law and Legal Practice', p. 180; on time limits, see, for example, Borkowski and du Plessis, *Textbook on Roman Law*, p. 77.
- 54 See Harries, *Law and Empire*, pp. 108–109 for the interrogation by the Late Roman judge.
- 55 See Chitwood, *Byzantine Legal Culture*, p. 85, and L. Burgmann, 'Oath', *ODB*, vol. 3, p. 1509.
- 56 Lavra, I, ed. A. Guillou *et al.*, no. 37 (1076–7), and see commentary, p. 212. For Smyrnaïos (surely his surname; perhaps indicating his place of origin in Smyrna) see *PBW* (2011): <<http://db.pbw.kcl.ac.uk/pbw2011/entity/person/143104>> [accessed 14 August 2014].
- 57 On the oath in Roman courts, see Borkowski and du Plessis, *Textbook of Roman Law*, p. 76. See the *Corpus Juris Civilis* (CJ), IV.1, tr. Blume and ed. T.G. Kearley, on oaths <http://www.uwo.edu/lawlib/blume-justinian/_files/docs/book-4pdf/book%204-1.pdf>, [accessed 6 September 2014], which is taken up in the late ninth-century Byzantine legal code of the *Basilika* (*Basilicorum Libri LX*, ed. H. J. Scheltema, N. van der Wal and D. Holwerda, *series A: Textus* [Groningen, 1955–8], *series B: Scholia* [Groningen, 1953–85]; see *Bas.* XXII.5,1; 5,3; 5,5) and in the *Peira* (LXVIII and LXIX).
- 58 J. Lefort, N. Oikonomidès, D. Papachryssanthou and H. Métrévélis (eds.), *Actes d'Iviron*, II (Archives de l'Athos, 16, Paris, 1990), no. 31 (1056). See also J. Lefort (ed.), *Actes d'Esphigménou* (Archives de l'Athos, 6, Paris, 1973) no. 4 (1078), a dispute about property in which the representatives of the Metropolitan of Thessalonike dispensed the monks of Esphigmenou from taking an oath as they did not wish to take one themselves. It seems, from the Adrameri case at least, that the oath was still being used as an intrinsic part of the process of proof, not just, as was more usual, for confirmatory purposes. Self-consciously Christian Byzantine rulers, following Christ's teaching in the Sermon on the Mount ('Let your speech be "Yea, Yea!" or "Nay, Nay!" and whatsoever is more than these is of the Evil One': Matt. 5: 37) were somewhat troubled by the persistence of legal oath-taking; see Morris, 'Dispute Settlement', p. 145.
- 59 Lavra, I, ed. A. Guillou *et al.*, no. 42 (1081). For the Amalfitan monastery on Athos, see A. Pertusi, 'Nuovi documenti sui Benedettini Amalfitani dell'Athos', *Aevum* 27 (1953): pp. 1–30, and P. Lemerle, 'Les archives du monastère des Amalfitains', *Epitêris tês Hetaireas*

- Byzantinôn Spoudôn* 13 (1953): pp. 548–566, repr. in *Le monde de Byzance; histoire et institutions* (London, 1978), Study XXII. It later became a dependency of the Lavra.
- 60 For the Acquilian Stipulation, see *CJ*, VIII.43: <http://www.uwoy.edu/lawlib/blume-justinian/_files/docs/book-8pdf/book8-43.pdf> [accessed 6 September 2014].
- 61 *Lavra*, I, ed. A. Guillou *et al.*, no. 42, l. 5, and commentary, p. 231. It is interesting to note that the Latin terms have been transcribed, albeit inaccurately. The Greek term for *acceptilatio* would have been *athôôsis*; see *Bas.* XXVI, 6, 1.
- 62 For the church of the Theotokos at Blachernai, see R. Janin, *La géographie ecclésiastique de l'empire byzantin*, I: *Le siège de Constantinople et le patriarcat oecuménique* (2 vols); III: *Les églises et les monastères [de Constantinople]*, 2nd edn (Paris, 1969), pp. 161–171 and for the monastery of Kosmas and Damian (= Kosmidion), Janin, *ibid.*, 286–289.
- 63 *Lavra*, I, ed. A. Guillou *et al.*, no. 42, ll. 41–2. Again a Latin term – transcribed as *tabelliônai* – is used, rather than the Greek *taboullarioi*, though this is employed earlier in the document; the *klêrikos* John clearly knew (and liked to use!) his Latin legal terminology.
- 64 This quoted the relevant book and chapter of the *Basilika* concerning circumstances in which dowry lands might be sold, though it got the section number one out (*Bas.* XXVIII. 8, 19 instead of 20), again a sign of knowledge of the relevant Roman law, but perhaps subject to a memory lapse or a scribal error? For Andronikos Doukas, see *PBW* (2011): <<http://db.pbw.kcl.ac.uk/pbw2011/entity/person/157167>>, and for Elpidios Chandrenos, <<http://db.pbw.kcl.ac.uk/pbw2011/entity/person/157226>> [both accessed 5 September 2014].
- 65 Docheiariou, no. 3, ll. 69–70. Nicholas Kontopaulos was *kouboukleisios* and archdeacon of the church of Saint Demetrios in Thessalonike, thus another example of a legally competent cleric; see *PBW* (2011): <<http://db.pbw.kcl.ac.uk/pbw2011/entity/person/157383>> [accessed 11 October 2014]. The scribe was another Thessalonian churchman, Kyriakos Strabomytes, *nomikos* and *klêrikos* of the church of the Theotokos Acheiropoiêtos; see *PBW* (2011) <<http://db.pbw.kcl.ac.uk/pbw2011/entity/person/157319>> [accessed 11 October 2014]. For these churches, see R. Janin, *Géographie ecclésiastique*, I; II: *Les églises et les monastères des grands centres byzantins* (Paris, 1975), pp. 365–372 (for Saint Demetrios); 375–380 (for Theotokos Acheiropoiêtos).
- 66 See p. 24 and *Iviron*, II, ed. J. Lefort *et al.*, no. 31 (1056).
- 67 *Peira*, LI, 20, based on *Bas.*, IX, 66, see Burgmann, 'Peira 51', p. 16.
- 68 Harries, *Law and Empire*, p. 111. For Byzantine appeals, see p. 22 and n. 39.
- 69 See Morris, 'Communal Legal Activity', pp. 67–8.
- 70 See Morris, *Oxford Handbook of Byzantine Studies*, 136–140. For the archives of the monastery of Saint John the Theologian on Patmos, see *Βυζαντινά έγγραφα τῆς μονῆς Πάτμου*, I, *Αὐτοκρατορικά*, ed. E. Vranoussi; II, *Δημοσίων λειτουργῶν*, ed. M. Nystazopoulou-Pelekidou (Athens, 1980); for Southern Italy, see the volumes in the series *Corpus des actes grecs d'Italie du sud et de Sicile* (Vatican City: Bibliotheca Apostolica Vatican, 1967–) edited by A. Guillou.
- 71 See E. Posner, *Archives in the Ancient World* (Cambridge [U.S.], 1972), p. 217 (on episcopal archives in Ravenna) and p. 200 (on Roman magistrates keeping records of proceedings). For archives in Roman Egypt, see T. Kruse, 'Archives and Registration in Roman Egypt', in Keenan *et al.*, *Law and Legal Practice*, pp. 62–82.
- 72 A cadastral entry for the taxes due from property of the small monastery of Kalliergou at its *metochion* in Hierissos is quoted in a document issued by the tax official John Kataphloron in 1079; see *Lavra*, I, ed. A. Guillou *et al.*, no. 39. Another concerning lands belonging to the Athonite monastery of Saint Panteleimon at Saint Demetrios on the peninsula of Kassandra can be found in *Actes de Saint-Pantéléèmon*, ed. P. Lemerle, G. Dagron and S. Ćircović (Archives de l'Athos, 12, Paris, 1982), no. 3 (?1044). The most substantial surviving portions of Byzantine provincial cadasters are those of Thebes and Radolibos. For Thebes, see N. Svoronos, 'Recherches sur le cadastre byzantine et la fiscalité aux XIe et XIIe siècles: le cadastre de Thèbes', *Bulletin de Correspondance Hellenique*, 83 (1959): pp. 1–166, repr. in *Etudes sur l'organisation intérieure, la société et l'économie de*

l'empire byzantin (London, 1973), Study III. For Radolibos, see *Iviron*, II, ed. J. Lefort *et al.*, no. 53. *Actes de Dionysiou*, ed. N. Oikonomidès (Archives de l'Athos, 4, Paris, 1968), no. 1 (1056) deals with the possible alienation of land subject to the *strateia* (the commutation of military service) again on Kassandra. It is clear in this case that the judge in the case, sitting in Thessalonike, had access to local archives in which the military status of the land (and therefore its holders) was noted. For general comments on cadasters, see L. Neville, *Authority in Byzantine Provincial Society, 950–1100* (Cambridge, 2004), pp. 56–65. For the provincial military lists (*kôdikes*), see J. Haldon, *Warfare, State and Society in the Byzantine World, 565–1204* (London, 1999), pp. 123–124.

73 See Limousin, 'L'administration byzantine du Péloponnèse', and n. 27.

2 Hybridity in Ottoman legal tradition as a source of flexibility in governing the empire

An overview with particular reference to the application of the ruler's executive judicial or *örfi* powers

Rhoads Murphey

Law is both process and product. It evolves slowly and is subject to constant mutation and change over time. As such, when evaluating legal traditions which evolved over centuries in complex multiregional and multicultural terrains such as those created in the Byzantine and Ottoman eras, spanning nearly sixteen hundred years between c. 330 and c. 1920, one must expect to encounter change on a monumental scale. Regional variation rooted in urban and rural divergence and contrasting local customs on the one hand, and the effects of such global and economic transformations as monetisation of the economy in the late sixteenth century and the flight from the land in the early seventeenth century on the other hand, periodically necessitated fundamental adjustments to legal codes and standard modes and rules of economic interaction. During the middle Ottoman imperial era following the annexation of Syria, Egypt, Iraq and Eastern Anatolia, in the short span of the two decades between 1514 and 1535, Ottoman regulatory adjustment moved at such an accelerated pace that the consolidation of Ottoman administrative practice in the newly 'conquered' areas transpired not over years but rather decades.

The brief reign of the otherwise little-celebrated Ahmed I (r. 1603–1617) is associated in Ottoman legal tradition with the promulgation of the *Kanun-i Cedid*, or the New General Law Code which set out to harmonise practice, particularly in the rural and agrarian sphere, across the empire in the aftermath of the empire's rapid expansion. In times of such rapid transformation and as a reflection of the growing complexity and heterogeneity of the empire, the flexibility which Ottoman legal practice offered – based as it was on an amalgam of legal traditions rooted especially in the executive, legislative or *örfi* powers of the ruler modelled on the *yasa* of the Ilkhanid empire established four centuries earlier in Iran as well as the corpus of medieval Islamic law which prevailed in the wider Islamic world – proved a considerable asset to Ottomans rulers who were called upon to govern in times of rapid and sometimes unpredictable change.

There are, as was typically encountered in the West, two sources of Ottoman law, namely secular or executive *kanun* and religious law *sharia*. The question as to whether they represented competing and opposing spheres that vied for jurisdictional predominance or whether they should be seen as broadly harmonious halves of the same whole that operated according to similar philosophical if not procedural premises has been extensively debated.¹

It is not our purpose here in this chapter to enter into the debate or suggest any paradigm-shifting solutions to this seemingly irresolvable paradox of a legal system that operated at the same time under the general aegis of Islamic legal traditions, yet was open to prosecution, adjudication and punishment of certain kinds of crimes (in particular crimes against the state or against the 'public interest' broadly defined) in separate tribunals that could hear evidence unbound by the regulatory strictures that operated in the *kadis'* courts. However, in brief, it may be said that the summary view expressed by Lauren Benton in the Ottoman section of her book entitled *Law and Colonial Cultures*, which proposes that no inherent contradiction existed in terms overarching legal precepts between *sharia* and *kanun* either in the administration or in the delivery of law, represents a sensible and historically accurate assessment.² While the *kadi's* court might cede jurisdiction and defer to the authority of the ruler and the ruler's administration of justice in the imperial *divan* for crimes such as treason, rebellion, embezzlement of state funds and those which affected the general public's welfare, this did not mean that the two represented mutually exclusive options in a zero-sum game revolving around two competitive and opposing traditions. Indeed, rather than manifesting such polarity and duality, the Ottoman legal system can more accurately be described as a system of multiple, interlocking, cooperative and complementary traditions than as two traditions locked in conflict with one another. In some spheres (land tenure and regulation of taxation in particular) there were strong parallels and continuities with Byzantine practice quite apart from the precedents taken over from either Mongol *yasa* or Islamic *sharia*.

In the Ottoman case, it is not a question of choice between mutually exclusive alternatives inherited in pure and unadulterated form from two distinct sources, but of hybrid legal traditions working in conjunction to resolve particular kinds of problems in particular regional and religio-political, as well as urban and rural, environments whose complexities the empire gradually subsumed and attempted to incorporate. As Benton has pointed out, the separateness, contradictoriness and distinctiveness of these traditions has often been overstated by commentators who are themselves steeped rather too much in the competitive, contradictory and dualistic mindset fostered by the Western model, based on the clear separation of law into clearly distinct secular and ecclesiastical jurisdictional spheres, or interpreted in terms of modern ideological battles between secularism and Islamism in an anachronistic and wholly distorting fashion.

Having cleared the air on the score of Eurocentric bias and the politicisation of the debate regarding the true character of 'The Sultan's Justice' in modern times, in the remainder of this chapter I will examine the much narrower question of the internal dynamics of sultanate justice and provide an analysis of the

types of events, crimes and general behaviour which triggered its intervention. In addition I am interested in the particular language and imperial rhetoric which was elicited and invoked to justify and legitimise its use. My analysis will focus on examples drawn from the middle centuries of the Ottoman imperial era, recorded both in court chronicles and in the judicial court records of Istanbul during a time of political instability in the early 1630s which provide evidence of the cooperative and complementary application of both the sultan's and *the kadis'* justice to resolve particular aspects of complex and multidimensional cases.

Throughout the period under study, namely in first half of the seventeenth century, Ottoman sovereignty concepts continued to be formulated and expressed in terms of the expectation that the ideal ruler should represent the embodiment of justice. As the enforcer of the rule of law, the realisation of these royal attributes not only constrained his scope of action, but also compelled him to intervene to restore the order of the world (*nizam-i alem*) when it had been compromised by tyrants, oppressors and rebels, and to protect the public interest and prevent harm from being done to the community by individuals who sought their own personal advantage while maximising their own benefit at the expense of the collective interests of the community. By far the strictest standard on this score was applied to the sultan's own officers of state and those who held positions of public trust. Full examination in terms of cause and effect and of action and reaction, made possible by focusing on cases of the controversial use of sultanic authority to order interrogations, confiscation of personal wealth, imprisonment, exile and (in extreme cases) execution of the highest-ranking members of the Ottoman imperial bureaucracy will, it is hoped, allow our investigations to shed some light on the ideological basis, the pragmatic purposes and the philosophical justification and underpinnings which triggered the ruler's use of these methods in pursuit of general social welfare.

On no account should it be supposed or assumed that such an ideal vision of sultanic justice precluded the possibility of miscarriages of justice based on incomplete or deliberately falsified evidence, or the imposition of penalties, fines and confiscations on innocent individuals motivated by fiscal necessity and the arbitrary use of confiscations to support the treasury. The occurrence of both kinds of 'accidents' or distortions of the system are amply documented in the historical record. However, the suggestion that the sultan's justice was always by nature arbitrary and perhaps too often unjust is an equally misleading assumption, whose validity can easily be challenged through closer examination of specific cases. It is clear from a close reading of the texts describing some notorious examples of executions carried out on shaky or insufficient grounds that rulers were acutely aware of and sensitised to the negative public opinion – what the sources call 'public discussion and gossip' or *kil u kal* – that could result from the indiscriminate or over-frequent resort to the use of confiscation as a punitive measure.

Especially harsh criticism was reserved for cases where capital punishment was carried out based on insufficient evidence of wrongdoing. The public disquiet that was felt on such occasions of wrongful or doubtful prosecution is clearly

reflected in the historians' accounts when – acting in their expected role as advisers and image-makers to the sultans and charged especially with warning them about the risk of besmirching their reputation as the embodiment of justice – they warned the ruler against associating himself with unsound convictions. In so doing, they sought to define for him the safe limits for the invoking of the principle of the primacy of public interest to justify severe punishments. This grey area in the implementation of sultanic justice was particularly highlighted by the historians acting as gadflies of the state in cases where the sultan turned against officers of state who had served him honestly and faithfully over prolonged periods and whose elimination was suddenly deemed either politically expedient or fiscally convenient.

Showing just cause for such punishments was not a legal requirement but a moral one, and the sultan, despite the otherwise virtually boundless extent of his power to undertake executive action, was bound to observe these limits or to face the consequences in terms of negative comments and adverse public opinion. The fine balance between sufficient and excessive use of force in restoring public order was a finely calibrated one, and the sultan was not immune to mistakes based on human error since, in the final analysis, all his decisions were based inevitably on the often misguided or self-interested advice provided by ministers and other companions and confidants at the court. Nonetheless, because in the end he was, just like any other human being, accountable to God for his actions at the conclusion of his life, it was both in his own interest and to his advantage in ensuring a favourable fate for his soul in the afterlife that he should do his utmost to fulfil his role in promoting general public welfare by seeking to make as few mistakes as was humanly possible. Miscarriages of justice did neither his soul nor the public any good, and they undermined the value of the law as a prop of the state and a prop of the sovereign's authority by bringing the sultan's justice and his application of the law into disrepute.

For these reasons historians were exceptionally careful when presenting the evidence and when providing their justifications for the scale, intensity and credibility in a moral sense of the rebukes visited by the sultan on his officers of state, including most especially those who held the highest ranks such as the grand vizier, the deputy grand vizier and the chief treasurer, who were most likely to receive the most severe penalties. These ranged from dismissal (*azl*) and banishment (*nefy-i beled*) to summary execution (*katl*, *siyaset*). Naturally the sultan had to be the final arbiter of the suitability of candidates for high office and to apply strict standards in monitoring and assessing their performance of the duties of office, but, on the other hand, indulgence in wholly whimsical decisions, particularly when they resulted in unfair dismissal or excessively severe punishment, were frowned upon and elicited negative comments in the court chronicles.

As part of his assessment of the wellspring and guiding spirit governing Islamic law, the late Joseph Schacht astutely discerned five defining categories used by the jurists when judging and, as appropriate, either approving or condemning human nature and human behaviour: (1) the obligatory; (2) the good (i.e. the recommended); (3) the indifferent; (4) the reprehensible and (5) the forbidden.³

In like fashion, within the scope of the sultan's main sphere of administrative competence and responsibility (as well as accountability to God), he had an absolute responsibility, corresponding to number one on Schacht's list, to protect his kingdom and realm (*sultanet*) and the subjects under his charge, consisting of his flock (*reaya*) and all God's creatures (*beraya*), from harm. Conceptually this was because both had been placed in trust with him as God's pledge (*vedia/wadia*), for whose safe return he was responsible at the end of his reign or lifetime. The centrality of this conceptualisation of the people as God's pledge placed under the ruler's guardianship in the language and rhetoric of Ottoman sovereignty is apparent in the titles assigned to the ruler in both common speech and chancery usage. In common speech the term *wadia/wadi* ^{at} was used as shorthand way of referring to the sovereign's subjects, i.e. those who had been committed to the charge and care of the king, and it is glossed as such in standard dictionaries.⁴ Its use in reference to the empire's extensive territories which have been bestowed to the sultan for safekeeping is imbedded in phrases such as '*wadiat-i Rabanni olan sultanet-i cihan-bani*', encountered in standard Ottoman chancery documents, meaning the affairs of state and its interests (including lands and properties) which have been entrusted as God's pledge by the Lord and Creator of both heaven and earth to the care of the ruler as 'protector of the world'.⁵ The sultan's failure to act decisively when threats were mounted against the general wellbeing of his realm or when infringements of natural rights or acts of aggression (*teaddi*) against his subjects were perpetrated – even if his just retribution required that severe punishment should be meted out to his own officers of state – was regarded as a serious dereliction of duty on his part.

Confiscation (*müsadere*) of the worldly goods of those who had acquired them by illegal means and used them for illegitimate purposes was one of the principal ways that the sultan could act to fulfil his role as protector of the common weal. Notionally all those in state service accepted accountability and answerability to the sultan for the trust (*emanet*) placed temporarily under their trusteeship as the sultan's appointees. Consequently, they were answerable for the goods, including revenues from provincial taxation and the like, placed temporarily under their custodianship (*zimmet*). Thus, breach of trust and fiscal malfeasance were both, by the terms of all appointments issued by the sultan's decree and patent, just cause not only for immediate dismissal but often also swift and severe punishment. When such punishment included confiscation or *müsadere*, it was regarded that goods rightfully belonging to the public purse or the common treasury (the *hazine-i amire*, sometimes otherwise called the *beytülmal al-Müslimin*) should revert to their proper place to be used for communal and collectively beneficial purposes.

All sources of complaint (*şikayet*) and all complainants (*şukat*) against office holders had to be taken very seriously in the Ottoman governing tradition, but at the same time it is made abundantly clear in the sources that the sultan was placed under an obligation not to take every denunciation as proof of culpability, and he was expected to ensure due process was observed to the extent possible when judging miscreants whose alleged misdeeds had not been subjected to

close scrutiny and investigation. The deprivation of both office and livelihood (*nzk*) or even life itself of an innocent person was considered a serious abuse of the sultan's power. Yet, despite its many faults and imperfections as a system of public administration and state governance, as well as its vulnerability to manipulation and abuse, it seems that two overriding concerns – clearly identified, reinforced and reiterated by the historians writing in didactic and paradigmatic fashion – remained paramount in the sultan's decisions about when and how severely he should reprimand his officials implicated in crimes against the state or society. Corrective action, in effect a kind of restorative justice, was obligatory on the ruler in order to:

- 1 preserve clear lines of authority and to avoid the unseemly appearance of confusion, contradiction or reluctance in the carrying out of orders issued directly by the sultan or by his absolute deputy (*vekil-i mutlak*) and alter ego, the grand vizier, and
- 2 redress the balance between individual and society and defend the public interest (*maslahat-i nas*) when the assertion of rights, interests and benefit by the few (*hass/hevass*) reached a level that caused injury to the interests of the many (*amm/avamm*).

A third priority that exercised the sultan's mind was his anxiety over the preservation of the good order of the world (*nizam-i alem*) in times of upheaval, sedition or lawlessness, but logically this duty to preserve order was an extension of the second premise that the sultan's main task as ruler was to ensure the delivery of the maximum good to the greatest number of people. Unreasonable or excessive accumulation of wealth or power by his viziers and other members of the intelligentsia, given that it was their place to perform the roles assigned to them as public servants in fulfilment of the terms of their *memuriyet*, was deemed inappropriate. Those who held high office were duty bound to fulfil the tasks assigned to that office faithfully and selflessly, without thought of personal gain. They were held accountable to the sultan for the slightest deviation from or dereliction of duty, and any wrongdoing on the part of an appointed official of the sultan was regarded as a usurpation and imbalance of power that had to be redressed. Such rebalancing required decisive action by the sultan that would set an example for other would-be wrongdoers.

Harsh measures and tactics were sometimes employed in a few high-profile cases that reached a dramatic conclusion with the public execution of a high-placed official, but, although well documented, such extreme measures were a relative rarity. It should not be supposed that every interview, inspection and request for routine official accounting by officers required the resort to such measures. To retain its effectiveness as a tool for controlling the behaviour and moderating the excesses of the highest-paid and most trusted advisers, such 'conversations' needed to take place in an atmosphere of mutual trust. It was only when the suspicion of malfeasance or consistent disloyalty was supported by convincing evidence that detention for questioning was followed by execution.

Forms of rebuke, including dismissal, demotion or banishment followed in relatively short order by the granting of the sultan's pardon (*afv*), forgiveness and the restoration of the suitably contrite official to a livelihood (*dirlik*) commensurate with his seniority and former rank, were far more common. As a motivating technique, periodic dismissal and subsequent 'forgiveness' and reinstatement worked very effectively to extract the highest levels of service since the officer in question was motivated by the double incentive of hope of promotion and fear of dismissal, not to mention gratitude for the sultan's having provided said office holder with a second chance to prove himself.

Another commonly applied technique was *müsadere*, which was sometimes used to indicate the sultan's policy of zero tolerance for failure to report for duty during time of campaign or for other serious instances of dereliction of duty. The higher one rose up the ladder of success in imperial service, the greater the expectation of gratitude to the sultan for the award of exalted rank, and the greater the expectation of both the appearance and the reality of loyal and selfless service, became. The motto of the Prince of Wales – 'Ich Dien', which appears in the crest over his coat of arms displayed on the main gate of Oriel College at Oxford University – was implicitly adopted by all serving members of the Ottoman bureaucracy who held high positions of public trust. However, as already indicated, the historians advocated a cautious and careful approach to confiscation orders since, in the absence of a convincing justification, *müsadere*, even when it was authorised by the sultan, could be regarded as mere *gasb* (forceful acquisition of someone else's rightful property or extortion) for which there could be no legitimate excuse or justification.

Without belabouring the point too much in this introductory vein, it is perhaps now time for us to get to the crux of the matter with a discussion of particular cases. Due to space restrictions I will be able to treat only four cases, three in summary and a fourth in somewhat greater detail. Two of the cases (cases one and two) focus on the desideratum of maintaining clear lines of authority and compliance with orders between the various levels of government (sultan to grand vizier, grand vizier to deputy grand vizier and so on and so forth all the way to the bottom of the chain of command),⁶ while a third concerns a further example of the corrosive effects of inter-vizierial rivalry on government by consensus. In this later case a strong opinion was voiced by the historians commenting on the case that a high-ranking vizier (to whit the commander of the forces in Crete Deli Hüseyin Paşa) had been wrongfully relieved of his command by his jealous superior, the Grand Vizier Köprülü Mehmed Paşa, and then found guilty of fabricated charges by a kangaroo court composed of the grand vizier's coterie of followers in the capital. The episode ended with Hüseyin's sacrifice on the altar of the Grand Vizier's ambition by his execution (read martyrdom) in late December 1658 after a token incarceration in the Seven Towers lasting only two days.⁷ The principal accusation lodged against Hüseyin Paşa by the grand vizier and his supporters was that his failure to succeed in the Cretan campaign, called by his detractors a failure of mission (*tatıl-i hizmet*), derived from the commander's attachment to and inclination towards his own

comfort and self-gratification (*huzuz-i nefsiyye'ye tabaiyyeti*) which inevitably gave rise to a 'dereliction of duty and lack of energetic commitment to the sultan's cause' (*ihmal u müsamaha*). Such seemingly high-minded sentiments uttered in condemnation of the serious character flaws exhibited by the disgraced war veteran were given the lie by historians writing in the immediate aftermath of the events, who saw Hüseyin as a simple man unaccustomed to the raw ambition and covetousness associated with those who succeeded at court and who was wrongfully dismissed, wrongfully accused and sinfully subjected to punishment that amounted to judicially sanctioned murder.

Cases one and two concern the need for consultation and consensus as an essential prop of good government and the rightful dismissal, or in some cases temporary demotion, of those who failed to follow the proper course of consultation. In case one, the insubordination of the deputy grand vizier Hafız Ahmed Paşa by countermanding the orders of his commanding officer the grand vizier Damad Ibrahim led to his demotion to third vizier in February 1601, which constituted only a mild rebuke (called in Ottoman *guş-mal* or ear-tweaking) given the seriousness of the offense in terms of its potential for undermining the Grand vizier's authority and reputation.⁸ It should be remembered that Ahmed's act of insubordination in authorising the murder of an envoy named Dimo who was representing the governor of Wallachia, Michael the Brave, in delicate negotiations regarding Wallachia's participation versus neutrality in the protracted Ottoman-Habsburg conflict over the status of Hungary came at a critical juncture during the Fifteen Years' War with the Holy Roman Empire, lasting between 1591 and 1606. At such times, cohesion and consistency in the formulation and the execution of foreign policy decisions was of vital importance for the success of the Ottomans' diplomatic strategy. Making an example of Ahmed was thus an essential element in restoring confidence in the grand vizier's management of the two-pronged anti-Habsburg strategy which had a diplomatic as well as military dimension.

Case two has a similar context and a similar outcome. The outcome was similar in that the accused in this case was reprimanded and then exonerated rather than being made subject to the extreme end of sultanic justice represented by capital punishment for official wrongdoing. The case once again involves the actions of a deputy grand vizier, in this instance Saatçi Hasan Paşa, who was accused by his superior of dereliction of duty in the year 1602. The case, a commonplace one in the official careers of high-ranking Ottoman statesmen, is noteworthy for our purposes in that it documents the existence of a mechanism consisting of a kind of disciplinary hearing for considering charges and recommending dismissal of charges when they were reviewed in light of denials or counter-evidence supplied by the accused. In other words, sultanic justice was bound by the rules of fairness and equity to hear both sides of the argument before passing judgment.

The accusation levelled against Saatçi Hasan when he was dismissed from his position as the deputy grand vizier and confined in the Seven Towers in the autumn of 1602 was that he had failed to communicate and consult properly

with the sultan and that he had been guilty of burying the bad news that was arriving from the front and of taking the administration of public affairs into his own hands by proposing solutions to important matters of state in accordance with 'his own whims, preferences and desires (*kendi havasınca*) rather than in accordance with the public interest'.⁹ According to the official account of his career in Mehmed Süreyya's biographical compendium, the *Sicill-i Osmani*, Saatçi's only fault was his misfortune in being assigned to his position as chief minister *pro tem* in the capital at a time when mostly negative and distressing news was reaching the home front about the military action being conducted at the front.¹⁰ In the event, he had kept a careful record of all his memos, digests and letters of consultation and was able to prove that he had conducted an exemplary and thorough course of consultation and communication with the sultan throughout the course of the campaign, as indicated by the signed copies of the correspondence in his possession bearing the comments of the sultan in the sovereign's own hand (*huttut-i şerife ile müveşşah telhis*).¹¹ After having produced this evidence, a stay of execution was issued which, while it did not result in an immediate reinstatement in office, at least restored the vizier's peace of mind. Shortly after his exoneration events again conspired to cause his banishment (*icla*) with a posting as governor of the relatively remote and low-ranking governorship of Trabzon, from whence he staged a slow comeback to the inner circle of the sultan's favour in the subsequent months and years.¹²

In the final section of this chapter I will comment in some greater detail on a fourth illustrative case that reflects on the implied subject of the title of this contributed chapter, namely the hybridity of Ottoman law. The case was not the subject of comment by contemporary court historians, but was recovered from the registers of Court Tribunals of Istanbul which deliberated on the case in two separate hearings, one in the autumn of 1632, and the second in the winter of 1633. This dispute and the form of its resolution highlights the interplay between and collaboration of *sharia* and *örfi* jurisdictions in the resolving of complicated legal cases that concerned the protection of the inheritance rights of minors whose parents or relatives have been caught up in, either as victims or perpetrators of, political crimes.

The 1632 court case provides an interesting example of the lengths to which Ottoman justice was willing to go to protect the rights of the innocent and to prevent their suffering as a consequence of the wrongdoing of others. The principle of the punishment fitting the crime without causing collateral damage to innocent bystanders had a particular relevance in cases where the inheritance rights of survivors and minors needed protection, regardless of how their parents and/or their legal guardians may have fared with the criminal justice system. Holders of public office held property and enjoyed incomes that were left in their custodianship so as to enable them to carry out their assigned duties whilst they held public office, and they were also entitled, at the sultan's discretion, to some retirement benefits and income appropriate to their station. For officers of high standing, entitled to *hass* incomes (incomes from the royal domain), these incomes were surrendered and transferred to their successors in post, and at all

stages of their service careers they were subject to the strict standards of *zîmmet* (incumbency, accountability, debt, charge), which meant they were answerable to the public treasury for all sums that they accumulated contingently as a consequence of holding high office and were charged with making an account of these to the sultan on a regular basis. The rest of their property and possessions they were entitled to pass on to their children and heirs without impediment, and equally strict rules imposed by *sharia* precepts applied to the proper distribution of shares in an estate called *fard/faraîd* or *sahm/asham*.

In cases where state officials betrayed the trust placed in them by the sultan and failed to conduct the duties of office honestly or competently, a share of their wealth, that acquired by unauthorised or illegal means, was legitimately subject to confiscation for restoration to the public treasury. The remaining goods and properties not subject to confiscation or reclamation formed part of their estate. Even if the sultan's justice (*örfi law*) imposed sentence of death on a betrayer of the public trust, that could not justify leaving orphaned minors and dependents bereft of support, as this would contradict both natural justice and the inheritance rules enshrined in *sharia* law. The limits of the sultan's justice were thus set by both the force of custom and the legal constraints imposed by the *sharia*, whose dictates, in most respects, the sultan was obliged to honour. The *örfi* penalties imposed on the perpetrators of crimes and misdemeanours among those who worked in the public sector (i.e. thus employed directly by the sultan as his *kuls*) were his to impose as he saw fit without wider consultation, but his writ did not extend so far as to allow him to disregard the dictates of either natural or divine justice.

The case recorded in Register Number 205 of the Istanbul Judicial Court records reflects the complexities of the law and the subtle interplay between *sharia* and *örfi* jurisdictions in the troubled months of retribution and settling of old scores that followed the execution of the Grand Vizier Receb Paşa in May 1632. Recep Paşa had held onto power for a relatively brief period of three months and managed to retain his position only by imposing a reign of terror on any and all political rivals who dared to oppose him. Thus, in the months following his removal from office, the sultan's *örfi* powers were invoked to allow a purge of the most egregious offenders from among his former supporters and associates (*havadar*) and his accomplices (*şüreka*) from the offices and benefices they had enjoyed during the time of interregnum and 'disorder', i.e. disruption of the public peace (*fetret ve ihtilal*) associated with the time of Receb Paşa's premiership.¹³

The case revolved around the inheritance rights of two minors, a boy and a girl, whose father had passed away – whether by natural causes or as a victim of a political vendetta is left unspecified in the register – around the time of troubles associated with Receb Paşa's premiership. After their father's death a court appointed guardian (*vasî*) was charged, as was standard practice, with managing the inheritance on their joint behalf until such time as they reached full maturity and the age of legal capacity to inherit and manage their own affairs. In any event, their case came before the court twice owing to a dispute

which arose between the court-appointed guardian/trustee named Ali Bey and a successor trustee named Idris Cavaş, who had been appointed after Ali Bey was dismissed as trustee and executor of the estate for unspecified reasons. The estate must have been substantial judging both by the titles associated with the testator's executors, who were themselves Bey and Cavaş, which indicates palace connections, and by the sums involved in the dispute, ranging from 50,000 to 200,000 *akçes*. The first case was brought to the court by Ali Bey as plaintiff and claimant in a suit (*takrir-i dava*) at the end of September 1632, only three and a half months after Receb Paşa's execution in mid May 1632, suggesting that Ali Bey's dismissal and replacement by Idris Cavaş as trustee may have dated from the times of trouble referred to earlier and been tinged with political motive.¹⁴ The second case and final resolution of the matter was recorded in the court in January 1633 as a sworn statement and acknowledgement of the settlement of the dispute made by Ali Bey in the presence of Idris Cavaş as a spoken declaration (*takrir-i kelam*) and sworn affirmation (*ikrar-i tam*) of the facts of the case, including the nature and terms of the settlement reached through compromise, claims adjustment and arbitration (*sulh*).¹⁵

In the first case Ali Bey appeared in court as former and first appointed trustee with the claim that the successor trustee Idris had extorted a sum of 50,000 *akçes* from him using intimidation and threat of torture while he was being held captive against his will for a period of two months in the custody of Idris Cavaş. In his rebuttal of the charges of intimidation and extortion Idris Cavaş testified that the monies he had seized were not Ali Bey's property, but monies belonging to the legacy left by Mehmed Bey to his two children and that this 50,000 *akçes* represented only a part of a hidden treasure of 200,000 *akçes* buried for safekeeping in a pot by the former trustee Ali Bey, of which he Idris had only managed to recover a portion, consisting of the 50,000 *akçes* extracted from Ali Bey. The testimony delivered by Idris Cavaş in court was decisively contradicted by highly credible witnesses, who included in their number a palace official named Musa Bey who was currently in the exalted post of Palace Gatekeeper (*bevvab- sultani*), who confirmed two key points of Ali Bey's testimony, namely:

- 1 that Idris Cavaş was counted among the associates of the former grand vizier Receb Paşa recently killed by the sultan's wrath (*magzuben katl olunan Receb Paşanın adamlarından*)
- 2 that Idris Cavaş had extracted the payment of 50,000 *akçes* by compulsion (*ikrahen*) and not as a settlement for the larger sum of 200,000 *akçes* that Idris claimed was missing from the estate.

The second entry relating to this case found in the court register was recorded a few months later in late January to allow time presumably for the full facts of the case to come out resulting from further investigations to confirm the accuracy of Ali Bey's claims. In his deposition to the court on this occasion Ali Bey acknowledged the return to his possession a sum of 46,000 *akçes*, consisting of the bulk of the money he claimed Idris had extorted from him, but relinquished

the right to further compensation or future adjudication of the dispute either with respect to Idris Cavaş or any other successor trustee to the trust created to protect the inheritance rights of the two youngsters.

Interestingly, the court expressed no opinion and passed no prejudicial judgment on the suitability or competency of Idris to continue in his role as trustee once the rights of both the minors and their former trustee were properly adjusted and restored. In its administration of the law, the court looked only to two key concerns, and these were largely preventative as opposed to punitive in nature:

- 1 preventing the abuse of power by officer holders, including those who fulfilled a private role as trustees (*vası*), from usurping the rights of others for personal gain, and
- 2 preventing the abuse of power by office holders intent on inflicting unwarranted damage or harm to the interests or legal rights of others by illegitimate application of the powers vested in them.

Beyond this, the court's attitude seems in effect to have been 'let bygones be bygones'. So long as a mutually acceptable solution was found either by the court directly or by interlocutors associated with the court, there was no socially useful purpose to be served by encouraging the development of a compensation culture linked with the expectation of perpetual litigation. Consequently it was not the court's function to pass moral judgement in an abstract or hypothetical legal frame, but to officiate and facilitate the forging of practical solutions that solved real-world problems. The sultan's justice was similarly minded and sought solutions that promoted the interests of society. Neither *örfi* nor *şer'i* law was complete or fully enforceable without full cooperation and partnership with its counterpart, and both worked most efficiently when applied in pursuit of common objectives and shared values.

Conclusion

As far as we are concerned, the rights and wrongs of vizierial comportment and behaviour, the character flaws of particular sultans and the overweening vanity and ambitiousness of their ministers are of no particular interest and in any case beyond our competence and ability to judge or comment on. Conversely, the yardstick by which the 'proper conduct' of statesmen and state officials was evaluated and judged and the standard applied to calculate the level of loyalty or disloyalty exhibited by servants of the sultan is of considerable interest for our own efforts to understand the values and principles that underpinned Ottoman traditions of law and governance of public affairs in the seventeenth century. The views expressed by commentators and projected and preserved in the contemporary Ottoman historical record provide clear testimony to the operational fact that respect for the rule of law and the expectation of strict adherence to the highest moral standards by law was strictly applied. There was no place

in the Ottoman system for one set of rules for the lawmakers and another for mere abiders of the law. The expectation of conformity to these high standards of public service in the public interest is expressed with consistency both in literary works and Ottoman legal documents, as I hope I have been able to demonstrate in the preceding analysis. Whether or not these high and noble ambitions for the preservation of the rule of law were always or consistently met is a question for another study, but the expression of commitment to such values and the judgmental tone adopted when state officials fell short of these high expectations is, I believe, significant. The Ottoman imperial tradition was firmly rooted in the carrot and stick approach to good and effective governance and without a healthy dose, from time to time, of the salutatory application of the stick in its various and graduated forms, it was powerless to achieve its ruling objectives.

Notes

- 1 Fuat Köprülü, 'Orta zaman Türk Hukukî Müesseseleri: İslam amme hukukundan ayrı bir Türk amme hukuku yok mudur?', *Belleten* 2/5–6 (1938): pp. 39–72 and Ömer Lütfi Barkan, 'Osmanlı İmparatorluğu teşkilat ve müesseselerinin şerîliği meselesi', *İstanbul Üniversitesi Hukuk Fakültesi Mecmuası* 11/3–4 (1945): pp. 203–224 represent two towering figures who set out the terms of the debate in the early twentieth century. A wider diversity of views and revisionist opinions can be found in the contributions of Adnan Koşum, 'Osmanlı örfi hukukunun İslam hukukundaki temelleri', *Selçuk Üniversitesi İlahiyat Fakültesi Dergisi* 17 (2004): pp. 145–160 and Guy Burak, 'The Second Formation of Islamic Law: The Post-Mongol Context of the Ottoman Adoption of a School of Law', *Comparative Studies in Society and History* 55/3 (2013): pp. 579–602.
- 2 See the chapter 'Order out of Trouble', pp. 80–126. In particular the subsection entitled 'Islamic Justice, Ottoman Strategies', p. 102 ff. in Lauren A. Benton, *Law and Colonial Cultures: Local regimes in World History, 1400–1900* (Cambridge, 2002).
- 3 Joseph Schacht, *An Introduction to Islamic Law* (Oxford, 1964), p. 200.
- 4 Francis Steingass, *A Comprehensive Persian- English Dictionary* (London, 1892), p. 1461.
- 5 This phrase is rendered by Francis Meninski in the *Thesaurus Linguarum Orientalium Turcicae-Arabicae-Persicae* (Vienna, 1680) as: '*Imperium regnumve aut Monarchia in depositum illi a DEO concessa*', cf. the reprint published by Simurg Press (3 vols., Istanbul, 2000), Vol. 3, p. 5352.
- 6 See pp. 42–43, regarding the sultan's obligation to 'preserve clear lines of authority'.
- 7 The bare facts of the case surrounding the veteran commander's summoning to Istanbul for judgement are covered in the account by Mustafa Naima, *Tarih-i Naima*, ed. Mehmet İpsirli (4 vols., Ankara, 2007), Vol. 4, pp. 1824–1825.
- 8 The events are covered by Katip Çelebi in his *Fezleke-i Tenvirî* (2 vols., Istanbul, 1286–87/1870–71), Vol. 1, pp. 143–147.
- 9 Naima, *Tarih-i Naima*, Vol. 1, p. 217.
- 10 Mehmed Süreyya, *Sicill-i Osmani, yahut Tenzkire-i meşahir-i Osmaniye* (4 vols., Istanbul, 1308–1315/1890–97), Vol. 2, p. 127.
- 11 Naima, *Tarih-i Naima*, Vol. 1, p. 217.
- 12 See Ibid. for his exile to Trabzon in ramazan 1011 (February 1603) and Ibid. Vol. 1, p. 234 for his elevation to the governorship of Erzurum in muharrem 1012 (June 1603).
- 13 Karaçelebi-zade uses precisely this phrase in his history *Ravzat ül-ebraz el-mübeyyin bi-hakaik il-ahbar* (Bulak, 1248/1832), p. 577, to characterise the tyranny and disorder associated with Receb Paşa's brief term of office, and he speaks with approval of the purging and execution of some of Receb's followers and henchmen in the immediate

aftermath of his removal from office. Among these were the former commander of the cavalry regiment of the silahdars and the former treasurer Niğdeli Mustafa Paşa, who were prime movers among the extorters and embezzlers working under Receb Paşa's orders.

- 14 The first case was recorded in register No. 205 of the *İstanbul Mahkemesi Kadi Sicilleri*, folio 23 with the dating *evasit-i receb al-murecceb* 1042/ 26 September–5 October 1632.
- 15 The second case, *Ibid.*, folio 35, was recorded in the same register with the dating *evasit-i rebiül-evvel* 1042/ 22–31 January 1633.

3 Custom, tradition and ‘law’ in the post-medieval Cyclades

Aglaia Kasdagli

The present study is part of an ongoing project concerning customary – oral, folk or non-statute – law and the multiplicity of terms used, and the various disciplines involved in this area of study speak for themselves. The parameters of this subject are so expansive in time and space that great care should be taken lest one become enmeshed in the still-unresolved theoretical issues or engulfed in innumerable case studies.¹

Definitions and focus

Of all the labels associated with customary law, I will limit myself for the purposes of this investigation to stating that the designation of custom as ‘oral law’ emphasises its amorphous origin in the primitive stages of social organisation.² At the same time, this embryonic quality highlights one of the paradoxes of the subject, because by accepting that customary law is, by definition, oral, we have acknowledged that custom proper is an elusive phenomenon: the moment it is committed to writing, it is crystallised, and in this way it loses the fluidity and adaptability that characterise it as oral law.³ Another pertinent label – folk law – is based on a modern definition of folk as ‘any group of people whatsoever who share a common linking factor’.⁴ This definition confirms some of the hypotheses I formulated independently some decades ago while working on my doctoral thesis, which in turn stimulated further research on the wider dimensions of custom relating to its nature and practical implications.⁵

In short, the aim of this chapter is twofold – to analyse both theoretical and practical implications of customary law in the Cyclades. It has been prompted by the realisation that, in contrast to the plethora of studies about customary law that exist for other parts of the globe, social historians have not shown any great interest in the customary law of Early Modern Greece, neither under Venetian nor under Ottoman rule. Consequently, it seems to me there is an apposite case to present. True enough, experts keen on tracing the origins of institutions have long pioneered the study of laws and legal manuals, and in the process have collected and edited documents of legal practice with detailed commentaries, thus paving the way for the investigation of different questions. As it happens, relatively large numbers of notarial documents of the Early Modern era have

been preserved, and they are nowhere more numerous than in the Cyclades, the cluster of islands and islets in the central Aegean Sea. When I, a non-legal historian of the period, came across the plentiful Naxian material, I found that a close study of it would offer an intimate, though only partial, insight into the workings of that island society. In comparison to lofty empires, the case represents a far less marginal issue than may at first appear; in fact, it is closely linked to the imperial lineages and legacies in the Eastern Mediterranean, because what else were the marginal Aegean islands but carriers of two imperial legacies, and the rich Westernised tradition embedded in them?

The setting

Before delving into the issue at hand, it is necessary first to provide a concise overview of the historical context for these documents. All political links between the Cyclades and the Byzantine Empire were cut off in the aftermath of the Fourth Crusade (1204), and thereafter most of the islands existed under the umbrella of the Duchy of Naxos until their incorporation into the Ottoman Empire in 1540. The transition to Ottoman rule after 1540 was both incremental and slow. Giovanni IV (Crispo), who had served as the Duke of the Duchy of the Archipelago from 1518 onwards, was retained by the Ottomans as the island's chief administrator in exchange for his agreement to pay an annual tribute to the Ottoman treasury to acknowledge Ottoman suzerainty. Soon after Giovanni's death in 1564 the island was assigned to Yasef Nasi as the Ottomans' agent and governor, retaining his title and functions as 'Duke of the Archipelago', and it was only after Nasi's death in 1579 that Ottoman direct rule could begin to take shape. It is thus apparent that the fuller 'Ottomanisation' of Naxos, including such features as the appointment of an Ottoman district governor (*sancak beyi*) and judicial representative (*kadi*) did not transpire until after the fall of Cyprus in 1571 and the signing (in March 1573) of the Venetian-Ottoman Treaty that brought to an end to the war of 1570 to 1573. It was the loss of Cyprus in 1573 that really marked the end of Venetian hegemony in the eastern Mediterranean. The Treaty of 1540 really only marked the beginning of the Ottomans' imperial pretensions in the Aegean, signalling their desire, an intention far from yet realised, to create a maritime kingdom all their own.⁶

In the seventeenth century, the islands found themselves in the midst of a prolonged struggle between Venice and the Ottoman empire for suzerainty over the Greek world. This struggle ended with the virtual withdrawal of Venice from the region in 1718.⁷ In the mid-seventeenth century (1645–1669) the islands found themselves in the midst of a protracted struggle between Venice and the Ottomans over control of Crete, which resulted in Venice being compelled to withdraw from a key base in the Mediterranean which it had held continually since the time of the Fourth Crusade. At the turn of the eighteenth century, Venice managed to (re)establish itself at Nauplion from whence it ruled the short-lived 'Kingdom of the Morea' (Regno de Morea) in the years between 1687 and 1715, but the general scholarly consensus concludes that Venice's

period of direct rule in this period was too brief to leave a lasting mark on the basic administrative structures and socio-economic realities of the peninsula.⁸ In the aftermath of this final Veneto-Ottoman confrontation ending in 1715, the islanders followed suit with the rest of the Greek world and expanded their trading and naval activities independently. However, this phase goes beyond the long seventeenth century and the focus of my interest.

In the period under examination, the vast majority of the local population was Greek in language and Greek Orthodox in religion. The Latin presence, i.e. remnants of the medieval Western conquerors and a medley of newcomers, was unequally distributed, and its impact was commensurate to its size: about 10 per cent in Santorini, 5 per cent in Naxos, and fewer or non-existent on other islands, while Tinos (a Venetian colony until 1715) hosted a large Catholic community, and the small island of Syros was almost exclusively Catholic. Small numbers of Muslims were to be found only in the major islands, while Christian Albanians made up a significant minority in Andros.

'Law' and 'custom'

An understanding of the given society's legal system is essential, much more so since the legal culture of the Early Modern Cyclades was a mixture of different influences, originating in distinct structures, institutions and mentalities that had coexisted for centuries: Byzantine, Latin (i.e. mostly French and Venetian) and Ottoman Turkish. As is often the case, succeeding rulers or overlords displayed at least partial respect for the 'ancient customs of the land' and for this reason largely maintained them; this was persistently claimed because tradition was the cohesive element – notwithstanding that, in fact, custom was being modified gradually but continuously, adapting to the changing political, economic and social circumstances.

To touch upon the stratified genealogy of legal realities, the Duchy of Naxos did not have formal ties of dependence to Venice. Venetian law was never applied there, but to the Republic's pragmatic and efficiently executed rule we owe the ultimate survival of the Assizes of Romania – the single law common in large parts of Latin Greece, which originated in the Latin dominion of the Morea. In the scant sources from the Late Medieval period, there occur several references to [*le*] *nostri leggi dello imperio di Romagna*, the *usanza* or the *consuetudines imperii Romani* and also examples of implicit conformity to the feudal code, which, however, was relevant mostly to the upper social level and cannot provide insights into the actual or relative condition of either the lords or their dependents.⁹ The Byzantine influence is much more evident, but reference has already been made to the intricate realities of the Byzantine legal system.¹⁰ Suffice it to stress here that despite the systematic imperial policy to enforce a statute legal system that would cover all contemporary exigencies, 'popular' or customary law, persisted to the end of the empire and beyond.

It is worth mentioning the appearance of a number of legal compendia in the Late Medieval period, which is more chronologically relevant to the

present investigation. The best known of them, the *Hexabiblos* by Konstantinos Armenopoulos (1345), served as a basis and source of law throughout the Balkans for nearly six centuries.¹¹ Contrary to previously held scholarly opinion, the so-called compilers of such works have been shown to have been sophisticated legal experts with acumen and expertise, who in fact were very adept in reinterpreting, adapting and updating the classic legal codes, thus securing a social continuum.¹²

The Ottoman period corresponds by definition to a period of post-Byzantine law, a much-disputed term which however is appropriately inclusive, as it refers to all law of Greek-speaking, non-Byzantine regions between the thirteenth and the twentieth centuries. The starting or terminal point for each region is determined by the time it ceased to be part of the Byzantine Empire and the date it was incorporated into a modern national state.

The role of the church

To what extent and in what ways did the transition to Latin rule after 1207 have an impact on the population of the islands? By the time the Ottomans took over the Cyclades in 1540, most other Greek communities on the mainland had long since adapted to the Ottoman imperial overlord. The concessions conferred upon the Orthodox Church by the Sultan had included a limited jurisdictional power over the Orthodox subjects of the Empire exercised by the Patriarch of Constantinople and the higher clergy to whom aspects of civil law, as well as all ecclesiastical matters, were referred. The significance of these rights and their gradual extension in the later period are well-known phenomena, affecting the whole Greek world by and large.¹³ It is, nevertheless, of particular interest to trace here the fate of Byzantine law after the formerly Byzantine, or Venetian and Latin, lands found themselves under Ottoman rule. In the confusion that followed the capture of Constantinople just a year later, we see the first patriarch under the new regime (Gennadios) advising his flock to follow 'the edicts of our holy mother, the Church, and the laws that had prevailed in the most pious Christian state', a policy which must be seen in the context of legitimacy as defined by the Ottoman authorities.¹⁴

How the policy of the Great Church in such matters evolved is still under investigation, and in the last thirty years a serious revision has been made as new material has become available. The most notable example is a compendium initiated by the Patriarchate of the second half of the sixteenth century, entitled *To nomimon tes Megales Ekklesias*. It was issued in 1564 and contained synopses of the Roman/Byzantine classical corpus, of novels, synodical acts and patriarchal letters. The *Nomimon* remained in use for about thirty years, but was discontinued somewhat mysteriously thereafter.

The manuscript codex itself disappeared and was entirely forgotten. It was only recently that Demetres Apostolopoulos of the National Hellenic Research Foundation published an account of his twenty years of detective work which resulted in the reconstitution of the work. This involved a painstaking

combination of fragmentary evidence and deductive formulation of hypotheses and reasoning, through which the researcher traced the major part of the dispersed folios in libraries throughout Europe. He subsequently collated and restored the best part of the original text, gaining in the process valuable insights into the development of post-Byzantine law. Arguably, the most important conclusion of his research is that the sixteenth-century patriarchal compendium, as much as its seventeenth-century successor, was not conceived and executed as a simple legal aid, but rather as a formal constitution of rules that had the force of law. Furthermore, and most importantly for the inquiry at hand, the anonymous compilers provided ample room in the manuscript codex for additions and revisions.¹⁵

Debate about the function of the Christian churches and the so-called *millet* system in the Ottoman Empire, its inception and its evolution has been radically reformulated in recent years.¹⁶ What I would like to stress here, however, is the specific role of the Church in presenting a uniform law, which, while purporting to continue the culturally familiar and ideologically acceptable Byzantine tradition, was skilfully and continually adapting to a new and alien environment.

Focusing back on the Cyclades, the dukes of Naxos had followed the standard colonial Venetian policy of ousting all prelates and discouraging all links between the locals and the Great Church. As soon as the Ottomans took over, the metropolitans of the Cyclades were reinstated and probably exercised their usual functions, although there is little direct evidence of the ecclesiastical administration of justice by either the Orthodox priesthood in the majority or the more sophisticated and politically adept Catholic clergy in the minority. What we know for certain is that there were limitations to the powers of the local church because the Cyclades and several other Aegean islands had been granted a number of charters (the earliest in 1580) attributing to them a 'privileged' status. The concessions referred to administrative, economic, civil and religious matters, and also to the administration of justice.¹⁷ All decisions taken by the previous regime were validated, and it was specified that in cases of dispute the parties were free to seek arbitrators among their own people and to settle all differences 'according to their customs'. In the charter of 1646 it is stipulated that the Ottoman judges would have no right to interfere, but were bound to accept and confirm all decisions. It was decreed that the Christian subjects could freely ask to be judged by other Christians, and all decisions and legal deeds 'following their *erroneous* [i.e. non-Muslim] law' would be respected.¹⁸

Parallel to this, the *şeriat* was inevitably also present, and the right to appeal to the Ottoman authorities always existed. Some major islands were the permanent seats of a *kadi*, except when the proximity of the Venetian fleet forced him to flee. His jurisdiction extended to other neighbouring islands as well, and his main function, as attested in numerous notarial acts, was to issue title deeds and to validate acts and sentences; he was also the recipient, or one of the recipients, of all fines for breach of contract.¹⁹

Legal plurality and custom

The Cycladic legal plurality is evident in the fact that litigants were free to choose, according to their own preference, any of the available sources of justice, opting for the most accessible or the most likely favourable. The concept of irrevocable judgement was almost unknown in both Greek and Ottoman courts, and despite the penal clauses usually attached to sentences, the losing party could – and often did – subsequently either apply for a review to a different ecclesiastical or communal tribunal or resort to private arbitration. Ottoman officials might be sent from Constantinople, and litigants could go there and appeal personally or through a representative. Once a year the Admiral of the Ottoman fleet, who visited the islands to collect taxes, would hear cases on appeal; during the Turco-Venetian wars appeals were instead made before the *Capitan Generale* of the Venetian fleet, which is a vivid illustration of an unstable situation that generated extraordinary adaptability, as the islanders were constantly forced to transfer and retransfer loyalties.

As for the actual ‘erroneous law’ of the subjected population, in the case of ecclesiastical courts this was mainly based on canonical and ‘formal’ law (that is, Byzantine law which, as we have seen, was already modified by innovations and customs). The Patriarchal court was constantly ready for political manoeuvres, and for this reason it could not maintain any consistent policy, which is illustrated in the generous application of special licensing (*ekklesiastike oikonomia*).

Rhetoric and realities: the codifications of custom

We have seen that contrary to all rhetoric about the immutability of law, customary norms undergo constant – albeit overlooked – undeclared or disguised evolution. While written codifications are made with a regulating purpose, often explicitly stated, the stigma of innovation is usually skilfully passed over.

In the Early Modern Cyclades, documented attempts to commit customs to writing are few and far between, which is not surprising in a society hovering between collective memory as a regulator of social life, filtered through widespread – though not universal – illiteracy on the one hand and pressure to respond to the exigencies of the time and to safeguard individual economic interests on the other hand.²⁰ However that may be, the need for systematic codification, or at least for a written record of specific customs, must have often presented itself, perhaps after a particularly violent dispute; in this way the example of such a memorandum, as that which was issued in Naxos in 1662, is instructive. In this record, the elected elders of the island attest that they have acted ‘according to the ancient orders and customs of our land, which have here the force of chapters of law for the management of the affairs of the community and the settlement of differences’, and have drawn up the document ‘in order that the truth be disclosed and the orders of our land preserved, signed by us to be kept among the acts of our chancery, for the rectification of our affairs and as a memorandum for the people after us’.²¹

A comparative analysis of the Cycladic customary systems reveals abundant local variations. In the process of adaptation to new needs and compromises to various conflicting interests, many simple and underlying principles remained common, but details were often modified. However, divergence may be so great that it is unsafe to generalise regarding a practice documented for a particular place and period. This is made plain by perusing a problematic, later source for customary law that consists of the answers to the questionnaires that the Ministry of Justice sent to all parts of the young kingdom of Greece in 1833, with queries about the prevalent local practices concerning specific issues such as inheritance and dowry.²² Deceptively rich as it is, this overused evidence should be treated with extreme caution, first because the enquiry offered the opportunity to notables who provided the answers to formulate the customs in ways conforming to their ideology that would serve current interests of the elite they represented, and second because the answers were in response to official enquiries and thus even more likely than other compilations to represent a distorted version of oral law.

The antithesis between actual, dynamic customary law and the venerated aura of continuity and stability that inextricably surrounded it is one of the striking and ubiquitous features of custom. It is because of this that indications of the antiquity of a customary prescription may often be deceptive: new regulations imposed by the state or innovations brought forward to serve either collective or individual interests acquired credibility by being rapidly incorporated into the undifferentiated body of oral law, fully assimilated with practices whose unidentified sources went back beyond living memory. Indeed, customs committed to writing were more likely to have been in some way innovative or controversial, whereas there was much less need, or opportunity, for the well-established and universally acclaimed practices to be recorded.²³

The process itself of recording oral law in writing could signify pressure for changes, resistance to innovation, and, in either case, it could show that the instigators had a vested interest in getting the currently prevalent customs crystallised in a particular form. Their motives were not necessarily just the ones explicitly stated, and the justifications prefacing the written customs are revealing of the nature of the process. An example is the seventeenth-century codification of Syros, undersigned by 33 elders, in which it is stated that 'we hereby spell out all customs that have stood in our island of old, which – as we found and certified from older people – have always existed, and because they are not written down we all unanimously agreed to put them in writing so that everybody follows them as they appear and nobody attempts to break the custom'.²⁴

The more elaborate the codification, the more it would be distanced from the previous regime of oral law. For one thing, these compilations aimed not only to register law but also to interpret it. They were, moreover, meant to cover various aspects of any particular issue in order to provide binding guidelines for as many conceivable situations as possible – whereas it is clear that oral law had provided only general principles and left a wide margin for variation in each application. The disparity is such that it is not surprising to find that the surviving

comprehensive codes were not the product of local – even if elitist – initiative and can be associated with the process of modern state-building.

Written norms and custom

Despite the pervasive influence of oral custom, there is no doubt that Island authorities, whether ecclesiastical or secular – or worthy citizens acting as arbitrators – had recourse to some source of written law, even if it was a supplementary judicial aid that could not be enforced universally or in a binding fashion.

It would therefore be instructive to investigate written normative sources of the period and see how far these were compatible with custom. An example of a written code that offers itself for such a comparison is the *Nomokritirion*, one of the many legal manuals that appeared during the period of Ottoman rule. Its author is unknown and it appeared in print only in 1966.²⁵ There is no way of knowing how popular it was at the time, who used it or even if it ever made its way to the islands, but the fact that it was drafted between 1600 and 1700 in contemporary vernacular Greek makes it the type of text that the notables of the islands might have known and used.

A striking feature of this compendium and the legal culture it reflected is its close dependence on an undifferentiated Byzantine legal tradition: the medley of rules ranges from St Paul's teachings and decisions of early ecumenical councils to patristic literature, imperial decrees and so on. As a test, I recently chose a particular issue – dowries – which was of vital and universal interest at the time, and compared the relevant clauses of the *Nomokritirion* with corresponding customary prescriptions of the islands, bearing in mind that, in contrast to local custom, the code was meant to encompass the entire Christian Orthodox flock.²⁶ It was evident that both legal bodies include those standard principles regulating dowry that are likely to be found in all European dotal systems, and a number of examples proved that written legal perceptions were identical to those implied in custom and explicitly found in documents of legal practice. However, how strictly the principles spelt out in the *Nomokritirion* were conformed to is an open question. For instance, it was decreed that a woman's dowry was returned to her father if she died childless, and that married partners, even if they were fully of age, were not permitted to donate dowry property to each other because thus 'he who had not suffered damage, gains'.²⁷ Notwithstanding, the principle seems to agree with the all-pervading idea that each partner ought to remain alien to the other's lineage (and dowry property) throughout the marriage and that in the absence of living offspring the dowry assets would eventually return to the next of kin. In addition, marriage contracts often mention a sum of money or specific piece of property that the beneficiary remained free to leave at will, and testaments show that at times the entire property was bequeathed to the surviving spouse to do with it as he or she pleased on a variety of pretexts. This means that, while the written code was careful to cover as many eventualities as possible and thus control undesirable developments, in practice various

individual options – or rather family strategies – might take effect under the cover of custom, which by definition eludes hard and fast rules.

The power game

Though a range of concerns has been left undiscussed, the limited space allows me to answer only two final intriguing questions: who dominated the proceedings in customary law, and who benefited most from them? The query is pertinent in view of another common definition of custom as 'law from below', and the elaborate justifications produced by codifiers to exhort 'the general good' or the 'common benefit' of 'the entire community', as if this was one and the same for each and all. A brief answer would be that custom was 'from below' only in the sense that it was not imposed wholesale by an 'above' authority, but instead evolved in the way already mentioned: gradually and imperceptibly, as a pragmatic response to common, repeated and familiar needs and circumstances. However, within the community, there were various forms of hierarchies and differentiations, and it was the balance of power between the different layers at each particular moment which decided who was in a position to drive a harder bargain.

To take a wider view once more, we should recall how in every society each stratum does its best to manipulate custom to its own benefit, and that all types of law, just as memory and tradition themselves, have always been manipulated.²⁸ That the stakes have always been high and politically charged is evident in disparate occasions, such as nineteenth-century Rhineland, where the thriving trading towns were contesting the still feudalistic countryside. The confrontation has been immortalised in the eloquent, but still idealistic (and long-winded) arguments that the passionate young Marx wrote in 1842 when reporting on the proceedings of the Sixth Rhine Province Assembly. The debate in question was on the thefts of wood²⁹ and what constituted a right or a custom, but Marx turned the specific issue into a general truth: 'We demand for the poor a customary right, and indeed one which is not of a local character but is a customary right of the poor in all countries. We go still further and maintain that a customary right by its very nature can only be a right of this lowest, propertyless and elemental mass.'³⁰ From what has already been said, it is evident that Marx's sweeping statement is not historically accurate. It was, however, politically expedient.

As stated at the outset of this chapter, this is work in progress and a lot of additional research, reworking and rethinking is required before I am able to bring my investigation about the nature and the prime mover of customary law to a satisfactory conclusion. I am well aware that many aspects of the problem remain unexplored and that to build up a tentative scheme of interpretation many more of the extant sources have to come into play, but I gain encouragement from the opportunity I was recently offered to go through a great number of notarial acts from the islands. These acts provide invaluable material for a number of future research projects, which may allow some rare insights into

the daily workings of the societies in question. The missing but vital additional process would involve close collaboration with historians capable and prepared to tackle the complementary Ottoman documents from the local *seriyye* courts: a tall order, but one which the present volume demonstrates is at the same time a challenging and feasible prospect.

Notes

- 1 Some aspects such as international customary law or related philosophical and ethical issues are still vividly debated, but lie well beyond the scope of my research. Examples of such enquiries can be found in Amanda Perreau-Saussine and James Bernard Murphy (eds.), *The Nature of Customary Law: Legal, Historical and Philosophical Perspectives* (Cambridge, 2007). The very concept of custom has been doubted, e.g. in the work by Ben Chigara, *Legitimacy Deficit in Custom: A Deconstructionist Critique* (Farnham, 2001).
- 2 My research is closely associated with the European case. See Peter Stein, *Roman Law in European History* (Cambridge, 1999).
- 3 See the section titled 'Rhetoric and realities: the codifications of custom', pp. 54–56.
- 4 Alison Dundes Renteln and Alan Dundes (eds.), *Folk Law: Essays in the Theory and Practice of Lex Non Scripta* (2 vols., Madison, WI, 1995), Vol. 1, pp. 1–4.
- 5 See Aglaia E. Kadagli, *The Island of Naxos in the Seventeenth Century: Some Aspects of the Economy and Society from the Notarial Sources* (unpublished doctoral thesis, University of Birmingham, 1991), in particular chapter 4. See in addition the following contributions in Renteln and Dundes (eds.), *Theory and Practice of Lex Non Scripta*, the introductory chapter 'What is Folk Law', Vol. 1, pp. 1–4, G.C.J.J. van den Bergh, 'The Concept of Folk Law in Historical Context: A Brief Outline', *Ibid.*, pp. 5–31, J.P.B. de Javelin de Jong, 'Customary Law: A Confusing Fiction', *Ibid.*, pp. 111–117, A.W.B. Simpson, 'The Common Law and Legal Theory', *Ibid.*, pp. 119–139, T.O. Elias, 'The Problem of Reducing Customary Laws to Writing', *Ibid.*, pp. 319–330.
- 6 For the Veneto-Ottoman Treaty of 1540 that established Ottoman suzerainty over the Duchy, see A. Savvides 'Nakshe', in *Encyclopedia of Islam*, 2nd edn (12 vols., Leiden, 1960–2005), Vol. 7, pp. 939–941.
- 7 For an outline of the medieval history of the region, see Peter Lock, *The Franks in the Aegean, 1204–1500* (London and New York, 1995). The most detailed treatment for the early modern period is still B. J. Slot, *Archipelagus Turbatus: Les Cyclades entre colonisation latine et occupation ottomane c. 1537–1715* (2 vols., Leiden and Istanbul, 1982).
- 8 For details of the impact of Venetian rule on demographic and social realities in the Morea in the period between 1687 and 1715, see the contribution by Malliaris to the volume edited by Davies & Davis (Athens, 2007): Alexis Malliaris, 'Population Exchange and the Integration of Immigrant Communities in the Venetian Morea, 1687–1715', in Siriol Davies and Jack L. Davies (eds.), *Between Venice and Istanbul: Colonial Landscapes in Early Modern Greece* (Athens, 2007), pp. 97–107.
- 9 Romania was the name given by Westerners to the former Byzantine Greek lands. The Assizes of Romania consisted of the Frankish or 'feudal' code imposed by the French rulers in Achaia, but also later adopted in the Venetian territories. The final version was written in the fourteenth century, and in the islands there are references to its usage until the late sixteenth century: P. Topping, 'Feudal Institutions as Revealed in the Assizes of Romania', in P. Topping (ed.), *Studies on Latin Greece* (London, 1977), No. I, pp. 15–103. See also David Jacoby, *La féodalité en Grèce médiévale. Les 'Assises en Romanie', sources, application et diffusion* (Paris and The Hague, 1971).
- 10 See Ruth Macrides, 'Justice under Manuel I Komnenos: Four Novels on Court Business and Murder', *Fontes Minores* 6 (1984): pp. 99–204; in partic., pp. 156–167 and 190–204.
- 11 Konstantinos Armenopoulos, *Procheiron nomon e exabiblos*, K. Pitsakes (ed.) (Athens, 1971).

- 12 For example, see Angeliki E. Laiou, 'Economic Concerns and Attitudes of the Intellectuals of Thessalonike', *Dumbarton Oaks Papers* 57 (2003): pp. 205–223 for a reappraisal of Armenopoulos and other fourteenth century jurists who, rather than acting neutrally when compiling their manuals, tried to respond to contemporary economic realities.
- 13 The classic in Greek historiography is N.I. Pantazopoulos, *Church and Law in the Balkan Peninsula during the Ottoman Rule* (Thessaloniki, 1967). In addition, a pioneering study which examines the 'privileges' (in fact, personal concessions to each successive patriarch) conferred upon the Great Church on the basis of early Ottoman documents is found in Elizabeth A. Zachariadou, *Deka tourkika eggrafa gia ten Megale Ekklesia, 1483–1567* (Athens, 1996).
- 14 Circular letter of 7 October 1454, quoted in Demetres Apostolopoulos, *Anaglypha mias technes nomikes* (Athens, 1999), p. 162.
- 15 D.G. Apostolopoulos, *To Nomimon tes Megales Ekklesias 1561.1593* (2 vols., Athens, 2008–2010). For background and also earlier and later compendiums, see Apostolopoulos, *Anaglypha*.
- 16 For a concise and updated introduction to the subject of non-Muslim legal status, the role of the Orthodox Church, and the administration of Ottoman justice as it affected the *zimmi* subjects, see Antones Anastasopoulos, 'Non-Muslims and Ottoman Justice(s)?', in Jeroen Duindam, Jill Harries, Caroline Humfress and Nimrod Hurvitz (eds.), *Law and Empire: Ideas, Practices, Actors* (Leiden, 2013).
- 17 A very detailed treatment of the plurality (or 'choices') of jurisdictional procedures is provided in E. Kermeli: 'The Right to Choice: Ottoman, Ecclesiastical and Communal Justice in Ottoman Greece', in Christine Woodhead (ed.), *The Ottoman World* (Abingdon, 2011), chapter 25. See also n. 18.
- 18 For the text of the Ottoman *ahidname* (capitulations) of 1646, see D.S. Ghines (ed.), *Perigramma Istorias tou metabyzantinou dikaiou* (Athens, 1966), pp. 119–123. Cf., E. Kolovos, *I nesiotiki koinonia tes Androu sto othomaniko plaisio* (Andros, 2006).
- 19 Kolovos is the first Ottoman scholar who studied the proceedings of the *kadi* court in a Cycladic island (Andros), and he updates the discussion about the nature and the meaning of those 'privileges'. The summaries of the documents provided by Kolovos in *I nesiotiki koinonia* show clearly that the Greek sources tell only part of the story.
- 20 For a tentative association of orality, memory and custom, see A. Kasdagli, 'Memoria collettiva e realtà sociale. Le famiglie nobili di Nasso dopo la caduta del ducato', in N.G. Moschonas and L. Stylianoudi (eds.), *Il ducato dell' Egeo* (Athens, 2009), pp. 447–454.
- 21 Aglaia E. Kasdagli, *Land and Marriage Settlements in the Aegean: A Case Study of Seventeenth-Century Naxos* (Venice, 1999), ch. 4, n. 27. Several codifications from the islands of the Cyclades and the Dodecanese have come down to us. They date from 1692 (Syros) to 1810 (Naxos): I. Zepos and P. Zepos (eds.), 'Sylloge topikon ellinikon ethimon', pp. 443–583 in their *Jus Graecoromanum* (8 vols., Athens, 1931), Vol. 8, pt. 3, pp. 443–583.
- 22 The initiator of the enquiry was von Maurer, a member of the Bavarian regency appointed as guardian of the young king Otto. He departed early under controversial circumstances and later published the material he had collected about local customs: G.L. von Maurer, *O hellenikos laos*, translated O. Robaki (Athens, 1976). See also I.T. Visvizis, 'Ta erotemata tou Ypourgeiou tes Dikaio synes tou etous 1833', in several parts, *Epeteris Archeiou Historias Hellenikou Dikaioy* 3 (1950): pp. 158–169, 6 (1955): pp. 120–130, 7 (1957): pp. 10–19 and 9 (1962): pp. 7–152.
- 23 See perceptive comments in Gillissen's typology of Western medieval custom: John Gilissen, *La coutume* (Turnhout, 1982).
- 24 Zepos and Zepos, *Jus Graecoromanum*, Vol. 8, pt. 3, p. 527.
- 25 D.S. Ghines (ed.), 'Nomokriterion', in Ghines, *Perigramma Istorias*, pp. 65–112.
- 26 Aglaia Kasdagli, 'Custom and Law in the Early Modern Aegean Islands: The Case of Marriage Payments', in Karin Gottschalk (ed.), *Gender Difference in European Legal Cultures*.

Historical Perspectives. Dedicated to Heide Wunder on the occasion of Her 70th Birthday (Stuttgart, 2012), pp. 127–138.

- 27 Ghines, *Perigramma Istorias*, p. 93, clause 7.
- 28 Marc Bloch was astute enough to perceive this on close examination of medieval sources: Marc Bloch, *Feudal Society*, translated L.A. Manyon (2 vols., London, 1965), Vol. 1, pp. 114–115.
- 29 It is interesting to note how this issue has been taken up as an indicator of quite different questions concerning the changing perceptions of violence and crime. See Robert P. Weiss (ed.), *Social History of Crime. Policing and Punishment* (Aldershot, 1999).
- 30 The 'Debates on the law on thefts of wood' were first published in the Supplement to the *Rheinische Zeitung*, Nos. 298, 300, 303, 305 and 307, October 25, 27 and 30, November 1 and 3, 1842; translated by Clemens Dutt, the reports are part of the online corpus of Marxist literature: <www.marxists.org/archive/marx/works/1842/10/25.htm#n4/>, last accessed 17/12/2012>.

Part II

Assertion and disputation of imperial identity in art

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4 Reflections on the influence of Imperial art on Christian art

Beat Brenk

In a recent article, Jas Elsner¹ compared Christian sarcophagi with the representation of the “Passage of the Red Sea” and earlier Roman triumphal reliefs which show adults leading children by the hand (Figure 4.1). On the Christian sarcophagus in Arles, the Israelites have safely passed the Red Sea; this is represented by the motif of a father leading one child by the hand and carrying another on his shoulders. On the triumphal arch of Trajan in Benevento (a.114), in the *Alimenta*-scene (*institutio alimentaria*) Roman fathers lead their children away, while Trajan distributes the *alimenta* to fathers and children. A relief from the period of Marcus Aurelius (from the arch of Constantine) features a scene of generosity (*liberalitas*) to parents and children, in which a man is carrying a small child astride his shoulders.² From these comparisons, Elsner concluded that ‘[t]he (Christian) sarcophagi show a clear and conscious use of carefully selected earlier motifs [. . .]. The Red Sea sarcophagi appear to play on a series of key characteristics of Roman visual imagery in the Imperial period’.³ Elsner was astute enough to avoid referring to an ‘Imperialisation of Christian art’, but was quite convinced that the Christian sarcophagi sculptors were ‘taking particular motifs from earlier art’. If this were the case, Christian artists of the second half of the fourth century would have deliberately studied early Imperial works of art. But why would they have done so?

I have doubts about this interpretation of the Christian reliefs because to my thinking Imperial motifs were widely diffused and not used by exclusively Christian artists; we do not need to presuppose a specific archaeological interest in the Roman past on the part of Christian artists. The assumption underlying this argument is that Roman Imperial art was a fixed category with a well-defined repertory of scenes, figural motifs and emblems which were readily available, as if from an ‘image-file’ box. According to this postulation, non-Imperial artists would have tended to copy these motifs in order to optimise their own artistic languages, and it goes without saying that it was always the non-Imperial artist who looked over the shoulder of the Imperial artist. Imperial art was considered both model and master by all kinds of artists.

Although that theory has never been put forward, many art historians have argued for an influence of Imperial art on other classes of art, such as Christian art, private art, funerary art, popular art, and so forth. I do not deny this

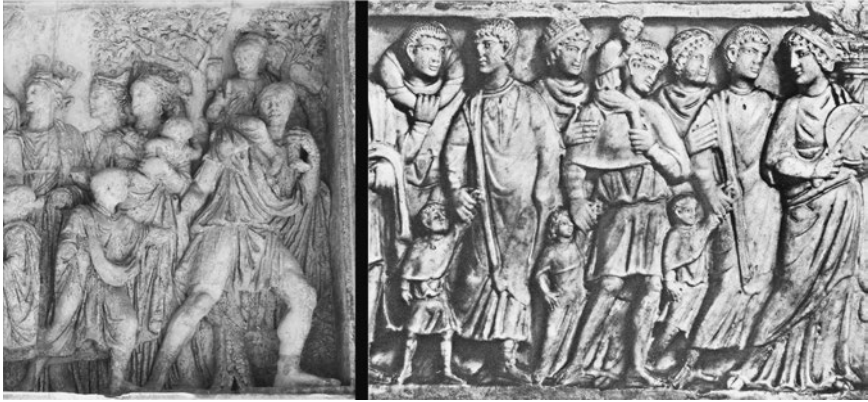


Figure 4.1 Left: Benevento, arch of Trajan, a. 114, Alimenta-scene. Right: Aries, archaeological museum, late fourth-century sarcophagus, Passage of the Red Sea. (Photos by the author)

possibility altogether, but I do not agree with the methodological approach it implies because it is an abstract construction. As soon as a work of art was created and became accessible – be it Imperial Christian, religious, private or what have you – it could be copied in part or in full, or imitated by anyone. Certain works of art had a ‘career’, so to speak, and were immediately copied or imitated; others were copied and imitated later, while still others were not copied at all. This is a question of the prestige acquired by a given work of art. Take, for example, the art of the twentieth century, in which Surrealist ideas reappeared in new clothing in Minimal art, or how Mondrian’s Constructivism was reinterpreted by Joseph Albers and Frank Stella.

I prefer to take a different view of these phenomena. Each work of art sends forth what I would like to call an ‘ambition’ or a ‘pretention’, which may involve both content and form.⁴ One should take good care not to use the term ‘ambition’ in a legalistic way, because a work of art is created not to assert itself against lawyers and attorneys, but to convey certain ideas in an aesthetically accepted, or in an as yet unaccepted way in order to gain acceptance. It provides the evidence – often in a more or less veiled form – of fictions and ambitions that reveal the wishful thinking of the artist or the patron. The implied target is, of course, not a lawyer but the visually experienced viewer.

Imperial iconography has been investigated from 1929 to 1999 (from Richard Delbrueck⁵ to Maria Alfoldi⁶) in countless monographs and articles,⁷ such that it has advanced to the status of the most admired and best-known species among the Roman arts. It happened that specific motifs and formulas diffused mainly in Imperial iconography were also discovered in other non-Imperial iconographic contexts. This gave rise to the problem of whether one should

speak of an unpretentious adoption of Imperial motifs, or merely of an ambiguous 'influence' (without of course establishing what is meant by the term). Or should one go still further and speak of an 'Imperialisation of Christian art' *tout court*? Among scholars who favour this latter hypothesis, I mention in particular Johannes Deckers.⁸

The clash of categories has given birth to dozens of articles and books, including Grabar's 1936 *Empereur* and Tom Mathew's 1999 *Clash of the Gods*. In my own work I have taken a critical position regarding the tendency to overestimate the importance of Imperial art, notably in my 1975 book on the mosaics of S. Maria Maggiore in Rome.⁹

My thesis is that Imperial motifs were not an Imperial reserve, that is to say they were used within the Imperial realm, but also beyond it. Direct dependence of Christian motifs on Imperial models is actually demonstrable only in a very few cases. This sounds terribly banal, but it is a fact.

In order to provide a conclusive answer to all of these questions one would need to investigate each of the following motifs: *toga*, *trabea triumphalis*, *paludamentum* (overcoat of a commander), *chlamys with Tablion* (overcoat of a commander), *sceptre*, *globe*, *imperial orb*, *roll*, *diadem*, *mappa*, *sella curulis*, *biga*, *carruca biuga*, *wreath*, *crown*, *corona laurea*, *corona civica*, *corona triumphalis*, *baldachin* or *canopy over the throne*, *throne*, *labarum*, *helmet*, *ring*, *the colour purple*, *proskynesis*, and *nimbus*.

It would of course be impossible to treat all of these items in this chapter, and so I shall offer a selection. I call these items motifs: Imperial motifs, but not Imperial art. Motifs are easily imitable. They travelled from one species to another, they were changed, reinterpreted, reshaped and so forth, and, most importantly, they did not necessarily carry along with them their original meaning like an aura. The original meaning may have remained after transfer, or it may have disappeared. In most cases the so-called Imperial motif means 'pay attention; high brow'.

Kingship

The Christian artist seems to have had at least one very good reason to look around at Imperial motifs, because he too had to design the image of a king: the image of Jesus Christ portrayed as a king. Christ's kingship was and is, however, not earthly, but heavenly and cosmic. Christ is a Pantocrator. In the Old Testament the Hebrew '*Ihawe Elohai Sebaoth*' is mentioned 130 times and is translated in the Septuaginta with the term Pantocrator.¹⁰ The New Testament as well mentions the term 'Pantocrator' nine times in the Apocalypse and once in the letters of Paul (2. Cor. 6.18). A famous passage is Revelation 1.8: 'I am the Alpha and the Omega, the Beginning and the End' says the Lord 'who is and who was and who is to come, the Almighty' (*ho pantokrator*).¹¹ The term's use was widespread among the Church Fathers. But the Church Fathers also introduce military terms to describe the power of Christ. In his Oration in Praise of Constantine (*Oratio de Laudibus Constantini* 3.6), Eusebius refers to Christ as 'Τὸς μεγάλου βασιλέως ἡπαρχος' (*praefectus praetorio*). Eusebius thus created the idea

that the earthly emperor is a deputy of God on earth.¹² For John Chrysostom and Proklos, Christ is ‘Βασιλεύς, μέγας βασιλεύς, τοῦ ἐπουρανίου βασιλεύς, πανβασιλεύς, δεσπότης, κύριος’.¹³ John Chrysostom’s commentary on Matthew (1.8; 2.1) gives us a rich image of how heaven should be visualised, namely as an Imperial palace, furnished with golden αὔλαι βασιλικαί. In a fifth-century text we read: *rex enim adoratur in terris quasi vicarius dei, Christus autem post vicariam impleta dispensatione adoratur in caelis et in terra*.¹⁴ The same text says *dei imaginem habet rex*.¹⁵

On the sarcophagus of Junius Bassus,¹⁶ prefect of the city of Rome, dated 359, Jesus sits on a throne and places his feet on a *velum* held up by *coelus*, the personification of the sky (Figure 4.2).¹⁷ Exactly the same motif is found on the Arch of Galerius¹⁸ in Thessalonica of 303, where the co-emperors Diocletian and Maximian place their feet on the *velum* of the *coelus*. The conclusion seems inevitable that the Christian artist of the Junius Bassus sarcophagus helped himself to the ‘image-box’ of Imperial iconography in order to represent Jesus Christ as a king. Christ was meant to be seen as divine, as was also true for the Imperial image: the Tetrarchic emperors considered themselves to be similar to and related to the gods.¹⁹ Since I could not find this particular iconography outside of the Imperial realm I am inclined to think that the motif of Christ sitting on the *coelus* was directly inspired by an Imperial model. However: why should a pagan god not sit on the *coelus*?

Here the methodological conflict is preprogrammed, however: if from Nero down to Diocletian the Roman emperors had persecuted and sometimes killed Christians, why now was their art suddenly being adopted as the model for representing Jesus Christ as a king, and also as God? Some authors have argued that



Figure 4.2 Left: Thessaloniki, arch of emperor Galerius a.303, co-emperors, Diocletian and Maximian. Right: Rome, ex St. Peter’s, sarcophagus of Junius Bassus a.359. (Photos by the author)

Imperial art became socially acceptable because of the first Christian emperor Constantine, who made Christians immediately forget all about the persecutions and cruelties of the Roman emperors. Such an argument is neither provable nor probable.

My conclusion is that Imperial art as a category of its own leads to a dead end; it is a misleading term. An 'Imperial' art category in the full sense of the term does not exist, because we do not know of artists who worked exclusively for the Imperial court. The existence of Imperial motifs and iconographies, on the other hand, should not be confused with the historical category of Imperial art. Imperial art is an historical category.

Wreath

In depicting the Adoration of the Magi, Early Christian sarcophagi sculptors furnished the Magi with laurel wreaths²⁰ instead of the gifts mentioned in the New Testament (Figure 4.3).²¹ Neither the wreath nor the Phrygian dress is mentioned in Matthew.²² These were motifs brought in from Imperial iconography, namely from the *aurum coronarium*²³ which was chosen because the wreath drew special attention to the divine character of Christ accompanied by adoration.

I should like to present a unique case for a point of similarity between an Imperial and a Christian scene. On a relief in Palestrina (Figure 4.4) a state official crowns the Emperor Trajan with a gem-studded wreath or crown. Such a scene served as a model for the crowning of Christ on a famous sarcophagus of the second half of the fourth century in the Museo Pio-Clementino



Figure 4.3 Rome, Museo Pio-Clementino, lid of early fourth-century sarcophagus, adoration of the magi. (Photos by the author)



Figure 4.4 Left: Praeneste, Museo archeologico, relief representing the triumph of emperor Trajan. Right: Rome, Museo Pio-Clementina, second half of the fourth century sarcophagus, Jesus Christ crowned with a laurel wreath. (Photos by the author)

(former Lateran 171) in the Vatican,²⁴ where a soldier places a laurel wreath on the head of Christ. Here, the meaning is ambiguous. The scene points of course to the coronation of Christ with the crown of thorns. Since in this period humiliation was to be avoided, the designer made this scene into a victorious coronation, thereby clearly alluding to Imperial victory iconography. Both the emperor Trajan and Christ hold a scroll, but Christ's placement and stance are not Imperial in the least; he stands like a philosopher stoically awaiting events. No doubt Imperial elements were adopted by the Christian sculptor, but the form and content of the scene are absolutely unique.

Toga

The *toga* or *trabea triumphalis*²⁵ was a robe for emperors, consuls and other high-ranking officials of the Roman state, which appeared only rarely in Christian contexts. In the scene of the wedding of Moses and Sephora (Figure 4.5) in



Figure 4.5 Rome. S. Maria Maggiore 432–440. Wedding of Moses and Sephora. (Photo by the author)

S. Maria Maggiore in Rome,²⁶ however, the toga is given to Moses not to make him into a Roman state official, but simply to denote his high social standing. Moses was neither an emperor nor a consul, but the leader of the Jewish people.

A number of years ago, I had a discussion about this and other scenes in S. Maria Maggiore with Ernst Kitzinger, who believed that the Roman elements within the Old Testament cycle of S. Maria Maggiore signal an appropriation of the Roman past by Christians. He writes: 'There is, then, in this entire decoration an emphatic, demonstrative and surely deliberate appropriation or assimilation of the pagan past. . . . The forces which motivated this appropriation cannot be in doubt . . . the bishop of Rome, the only effective authority left in the city, asserted his claim as the true and rightful heir of the Caesars.'²⁷ My question is whether the Roman past was indeed so important for the Roman bishop

after 411. There was no need for the Christians to appropriate Roman history, since theirs was the history of salvation. For the Christians, the ‘Hebrew people’ meant the *plebs Dei*, as we can read at the top of the triumphal arch in S. Maria Maggiore in Rome.²⁸ In other words, Moses is the God-chosen leader of the Hebrews, and the ‘chosen people’ signals the Christians, of course, and sometimes also the Christian Church. The idea of the history of salvation was not the Christianisation of Roman history, but the Christianisation of Jewish history. Abraham, Isaac, Jacob, Joseph, Moses and Joshua are prophets and forerunners of Jesus Christ.

I am unable to see a Roman Imperial influence in this image. The mosaicist chose a pragmatic modality. For the wedding scene of Moses and Sephora he chose a well-known Roman formula, namely the *dextrarum iunctio* (Figure 4.6),



Figure 4.6 Rome. S. Saba, late third–early fourth-century sarcophagus with *dextrarum iunctio* scene. (Photo by the author)

without making Moses into a Roman.²⁹ The *dextrarum iunctio* incorporated the toga, and its adaptation in turn transmitted a high social rank to Moses. In the context of the history of salvation it makes no sense to raise Moses to the status of a Roman state official. Moses was a prophet and the leader of the chosen people, that is, the *plebs Dei*. It is sufficient to look at the scene (Figure 4.5) as a representation of the Appointment of Moses by God-the-Father. Since the hand of God extends out of a cloud, there can be no doubt that we are dealing with the history of salvation. Also in the previous scene where the boy Moses is presented to the daughter of Pharaoh (Figure 4.7), Moses is distinguished with a *chlamys*, but the hand of God extending from heaven again signals that this scene must be understood as a chapter of the history of salvation. The Roman garments evoke a courtly atmosphere, but they are not meant to evoke Roman history, because Biblical history, from a Christian point of view, is part of the history of salvation, not part of Roman history. This basic fact did not hinder Christian artists from filling Old Testament scenes with pictorial formulas lifted from the Roman chronicles of war as they appear on the columns of Trajan and Marcus Aurelius. Such formulas do not carry with them a well-defined meaning, and thus should not be over-interpreted; they served to evoke associations linked with status.

The scene with the boy Moses conversing with the Egyptian wise men (Figure 4.5), does not depend on the Old Testament account, where nothing of the kind is mentioned, but derives from the *Vita Moysis* by Josephus.³⁰ There can



Figure 4.7 Rome. S. Maria Maggiore 432–440. Moses presented to the daughter of Pharaoh. (Photo by the author)

only be one reason, however, that this scene was illustrated in S. Maria Maggiore: it was meant to remind the onlooker of the boy Jesus in discussion with the elders in the temple. Moses is a '*typos*' of Jesus Christ. The Early Christian Church Fathers considered the Old Testament to be a book that prefigured and foretold Jesus Christ. All of the prophets and godly men of the Old Testament are to be seen as forerunners of Christ. In an ecclesiastical context, the Old Testament was never illustrated for its own sake, but was always meant to be read and understood as part of the Christian history of salvation. Certain authors interpreted the Old Testament as the prehistory of the Christian Church. Ambrose spoke of the '*ecclesia ab Adam*'. The intention of Christian authors was always to Christianise the Old Testament, never to Romanise it.

Chlamys

What has been stated earlier also applies to the *chlamys*.³¹ In the mosaics of S. Maria Maggiore the *chlamys* is the robe worn by the Egyptian governor Aphrodisius of Sotinen³² (Figure 4.8), who receives the Holy Family as if it were an Imperial diplomatic mission. The *chlamys* signals the governor's high social rank. Indeed, had he existed (which is improbable), Aphrodisius would have been a Roman state official and would indeed have displayed a *chlamys* when receiving a foreign ambassador on a state visit. It may thus be concluded that Christ is being received by a high-ranking state official as an emperor or king, and since at that point He was a baby, he does not wear either a *chlamys* or a toga, but instead a *tunica* and *pallium*, which was the dress of a philosopher.

The concept of the mosaics of S. Maria Maggiore is quite unique and without precedence or imitation. The costume statements are highly differentiated and thoroughly reflected on, but are not immediately apparent to the viewer. The iconography as a whole must be deciphered carefully. In this mosaic cycle, Christian salvation history was brilliantly illustrated with the help of the vocabulary of Roman war chronicles. For the first time a *concepteur* dared to enrich



Figure 4.8 Rome. S. Maria Maggiore 432–440. Aphrodisius of Sotinen in Egypt receives the Holy Family. (Photo by the author)

Christian salvation history with formulas from Roman Imperial iconography, and these formulas promoted associations with the latter. It is possible that such associations promoted a deeper understanding, but the secrets of Christian salvation history are not accessible without the aid of a thorough theological teaching or explanation.

Throne

Most authors have insisted that the throne in the apse mosaic of S. Pudenziana (Figure 4.9) in Rome³³ is simply an Imperial throne. The golden robe and halo of Jesus Christ have also been considered as purely Imperial attributes. Since Jesus is wearing a tunic and pallium, however, direct inspiration from Imperial iconography is out of the question. I also have doubts about the allegedly Imperial character of the throne. The thrones of the porphyry statues of emperors in Alexandria and Sarkamen in Serbia (Figure 4.9) are quite different, having a back and no cushion. In the apse mosaic of S. Pudenziana, I would posit that something totally new has been created. The throne looks *a prima vista* Imperial, but it is an artistic invention. Moreover we see a philosopher dressed in gold; this too was breathtakingly new. The idea was to attract the viewer's attention, and the throne does so by transmitting an aura of royal prestige to Jesus. The Imperial elements – if it could be proven that they are such – point to the divinity of Jesus Christ, whose head type (Figure 4.10) is again not Imperial at all, but that of a philosopher. The twelve apostles are also characterised as philosophers. In my view it cannot have been easy for the visitor of S. Pudenziana to understand the message correctly unless armed with prior knowledge or informed guidance.

The scene of the “Adoration of the Magi” shown on the silver reliquary from S. Nazaro in Milan³⁴ (Figure 4.11) is depicted in an exceptional manner in

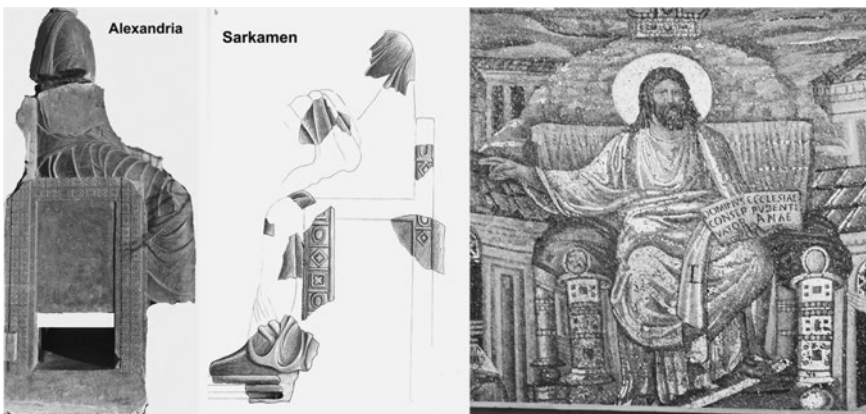


Figure 4.9 Left: Tetrarchic imperial porphyry statues in Alexandria and Sarkamen (Serbia). Rome. Right: S. Pudenziana c. 400/410, apse mosaic. (Photos by the author)

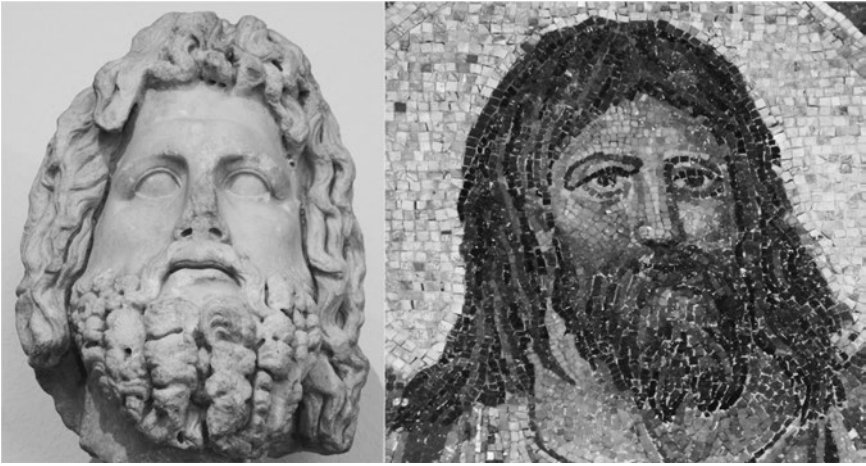


Figure 4.10 Left: Geneva, museum, Sarapis, second century. Right: S. Pudenziana, c. 400/410. Christ. (Photos by the author)



Figure 4.11 Milan. Museo del Duomo. Silver reliquary from S. Nazaro (after Volbach 1959).

that two muscular men with curly hair present Jesus with large, and obviously heavy, silver plates as gifts. Such silver plates were commonly presented as gifts in late Antiquity, though not necessarily as Imperial gifts. A law dated 25 July 384 addressed to the senate of Constantinople stated: 'We also confirm by this constitution that, with the exception of ordinary consuls, no one else shall have the right to give presents of gold (*auream sportulam*) or ivory diptychs (*diptycha ex ebore*)'.³⁵ This law thus declares gold and silver plates and ivory diptychs as a privilege of consuls, not of emperors.

The purpose was to allude to the divinity of Jesus Christ. It is likely that the S. Nazaro reliquary belonged to a patron in the milieu of Saint Ambrose, and it was Ambrose who said, in *De fide* I.4.31: '*Unum deum magi crediderunt [. . .] auro regem fatentes, ut deum ture venerantes*'.³⁶

Nimbus

Whether the nimbus of Jesus Christ ultimately harks back to an Imperial or other source is impossible to prove conclusively, and therefore not of great interest to debate. The nimbus emerges more or less contemporaneously in Late Antiquity for Imperial portraits and images of mythological personages and personifications. We may consider the well-known fourth-century mosaic with the birth of Dionysus in the Villa of Theseus in Nea Paphos (Figure 4.12), where Hermes carries the newborn god in his lap.³⁷ Here Dionysus but also Theogonia have blue haloes. It may be seen that Hermes holds Dionysus in the same way that the Virgin Mary holds the baby Jesus. We may even compare Tropheus with one of the three Magi in the Adoration scene (Figure 4.3). On the left side is shown the bath of the baby Dionysus. Anyone attempting to identify the model for this scene has any number of possibilities to choose from, leading to inconclusive results. The gesture of acclamation of Nektar and Theogonia is not necessarily the model for Christian gestures of acclamation, because such gestures are used in a multifunctional way. As for the bath of the child, suffice it to say that each child – be it Dionysus, Alexander the Great or Jesus Christ – was bathed after birth, and in the final analysis such scenes tend to look rather similar. A derivation of the iconography of the bath of Jesus Christ from the bath of Dionysus is not necessary because the elements of this scene were generally diffused formulas. Even if we knew where such a formula was first created, this would not much add to our knowledge since we could not know if the reception was direct or indirect, or whether it took place at all. The question of origins leads in most cases to a tangle of hypotheses.

Instead, I find it much more interesting to ask why Hermes, and nearly all the mythological figures in this mosaic, are dressed. Even in the scene of Apollo and Marsyas, most of the figures are clothed rather than nude. Why did the artist abandon heroic nudity?³⁸ Is it possible that the ladies of this luxurious villa had converted to Christianity and found the nudity of the mythological

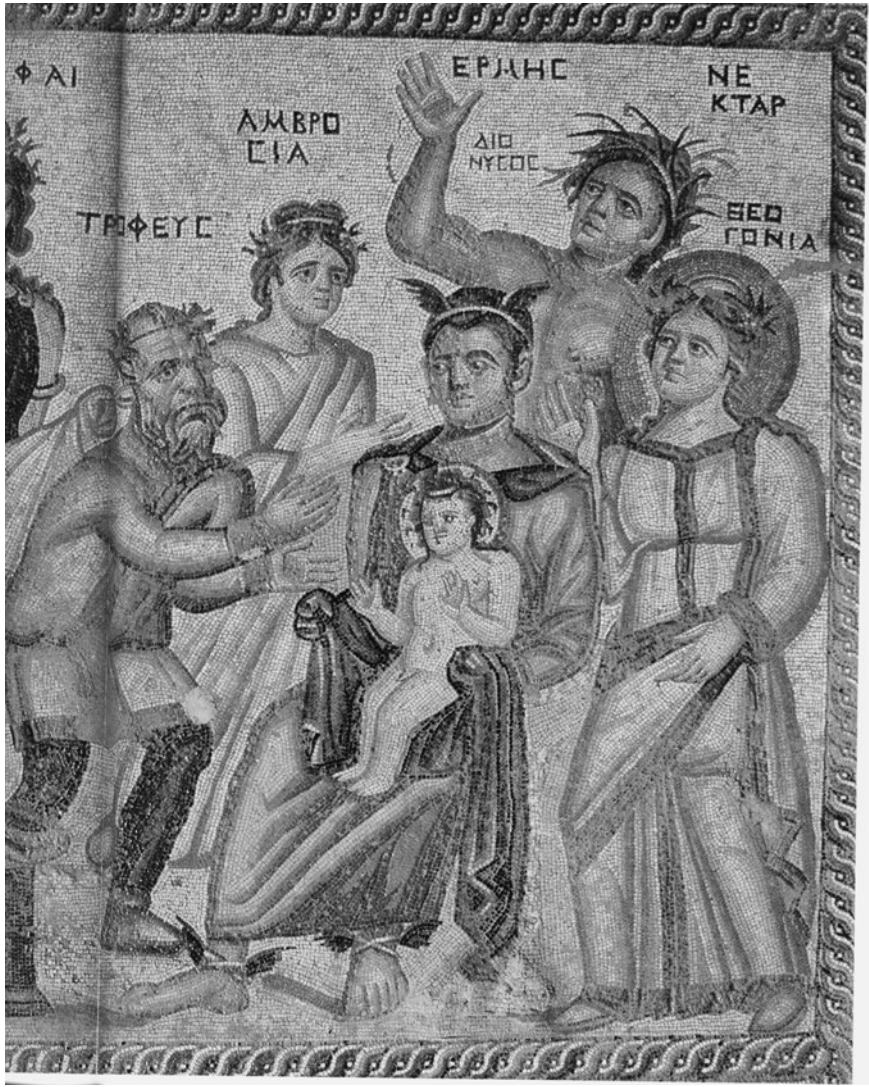


Figure 4.12 Paphos. Villa of Theseus (after Daszewsky).

figures simply offensive? Clothed gods are a unique iconography. But we do not know whether the owners of this villa were Christians. It might also have been the case that pagan owners were impressed by the new Christian images in which everyone was nicely dressed, including of course the Creator, Christ and the angels.

Proskynesis

Image-makers, following the advice of Orthodox theologians, chose the episode of the Adoration of the Magi because it legitimised the Adoration of Christ as a king and thus as a divine being.³⁹ At the same time the Virgin Mary was represented as a noble lady seated on a cathedra (Figures 4.3, 4.11), thereby demonstrating a certain private devotion of the faithful, although there is no proof of an official cult of the Virgin before the seventh or eighth centuries. Though Matthew 2.2 tells the story of the Adoration of the Magi by describing the adoration and the birth of a king in a transparent and literal, direct way,⁴⁰ the image-makers of the Constantinian period did not consider it important to represent the Proskynesis of the Magi.⁴¹ The Proskynesis would have necessarily reminded the onlookers of the Imperial cult tradition.⁴² They knew that this cult implied sacrifice and genuflection. On the other hand, as mentioned earlier, the image-makers did not hesitate to equip the Magi with laurel wreaths⁴³ (Figure 4.3) instead of the gifts mentioned in the New Testament.

Matthew promoted the adoration of the King of the Jews as a matter of course. It was the role of the king to be adored and worshiped; possibly the Roman image-makers of sarcophagi and Catacomb frescoes were thinking more of the Latin term '*adoraverunt*' than of the Greek *προσεκύνησαν*; they used Imperial motifs in order to emphasise the divine nature of Christ. It would be a simplification to speak of the 'Imperialisation' of Christian Art.⁴⁴ The Greek New Testament designated Christ as a *Kyrios*, namely as a king, long before Jesus was characterised as such on sarcophagi. Since Constantine's period the Imperial cult had lost its negative connotation, and it was thus easier for Christian image-makers to adopt Imperial motifs. The subject of the Adoration of the Magi was used as a proof of the divinity of Christ.

Conclusion

This paper has dealt with Imperial iconography, not with Imperial art. I find the term Imperial art misleading because it suggests that there was a well-defined art category invented by the Imperial court uniquely to serve that court. Furthermore, it reinforces the idea that the Imperial court employed artists uniquely to work for the court. I do not deny the possibility that certain artists worked mainly for the court and may sometimes have invented motifs and scenes for Imperial needs. In many cases, though not invariably, Imperial patronage generated high standards. This was often the case with Imperial architecture. Also, Imperial portraiture can betray elevated artistic ambitions. When speaking of Imperial architecture or Imperial portraits, the adjective 'Imperial' points to the patron rather than to the artist. My thesis is that Imperial motifs were not an Imperial reserve; they were used within the Imperial realm and also elsewhere.

A direct dependence of Christian motifs on Imperial models is demonstrable in certain cases, but, there is no reason to speak of an 'Imperialisation' of Christian art.

Notes

- 1 Jas Elsner, 'Pharaoh's Army Got Drowned: Some Reflections on Jewish and Roman Genealogies in Early Christian Art', in Herbert L. Kessler and David Nirenberg (eds.), *Judaism and Christian Art: Aesthetic Anxieties from the Catacombs to Colonialism* (Philadelphia, 2011), pp. 10–36.
- 2 Scott Ryberg, *Panel Reliefs of Marcus Aurelius* (New York, 1967), pp. 71–76, fig. 49. Michael. P. Speidel, 'Trajan's Column and the Arch at Benevento', *Römische Mitteilungen* 112 (2005/2006): pp. 189–205; Christian Heitz, 'Des Kaisers neue Kinder', *Römische Mitteilungen* 112 (2005/2006): pp. 207–224.
- 3 Elsner, 'Pharaoh's Army Got Drowned', p. 29.
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- 39 Leo magnus, sermo 33.2 (PL. 54.242 A) *magi . . . auro honorantes personam regiam, myrrha humanam, thure divinam*; Hieronymus, comment. In evang. Matth. 1.2 (PL. 26.26 A) *Thus, aurum, myrrham, regique, hominique, Deoque dona ferunt*. See also Matth. 4.10.
- 40 Matthew 2.2 'where is he who was been born king of the Jews. For we have seen his star in the East, and have come to worship him . . .', 2.11 'and they fell down and worshiped him'.

- 41 Matth.2.11: *proclidentes adoraverunt eum*, πεσόντες προσεκύνησαν αὐτῷ. Cumont, 'L'adoration des mages', p. 93.
- 42 Hieronymus, *Chronica* 226 *primus Diocletianus adorari se ut Deum iussit et gemmas vestibus calceamentisque inseri, cum ante eum omnes imperatores in modum iudicum salutarentur, et chlamydem tantum purpuream a privato habitu plus haberent*. Eusebius Werke GCS vol.7, *Die Chronik des Hieronymus*, ed. Rudolf Helm (Berlin, 1984), p. 226; Ammianus Marcellinus, *Rerum gestarum libri qui supersunt*. Book XV Chapt. 5 section 18. ed. Wolfgang Seyfarth. vol.1 (Stuttgart, 1978), p. 50 *acito eodem ingresso consistorium offertur purpura multo quam antea placidius; Diocletianus enim Augustus omnium primus externo et regio more instituit adorari . . .*; Andreas Alföldi, 'Die Ausgestaltung des monarchischen Zeremoniells am römischen Kaiserhofe', *Römische Mitteilungen* (1934): pp. 6–9, 14–16, 46–65, 76.
- 43 Jutta Dresken-Weiland, *Repertorium der christlich-antiken Sarkophage*, Vol.2: *Italien*, p. 208, nr. 206 (plate 75).
- 44 I find it difficult to agree (with J. Deckers) about an 'Imperialisierung der christlichen Kunst' ('Imperialisation of Christian art') because the Old and the New Testament refer to Christ as Kyrios (king). Compare Psalm 45.2–12; 72.11; Is.60.3; Matth.2.2. The image-language of the Old Testament legitimised an uncomplicated dealing with borrowings and quotations from imperial iconography. The meaning of such a reception was always to stress the two natures of Jesus Christ. Thomas F Mathews, *The Clash of the Gods: A Reinterpretation of Early Christian Art*, 2nd edn (Princeton, 1995), pp. 83–86, thinks that the Adoration of the Magi was chosen as 'a claim that he (Jesus Christ) was the supermagician'. Also this thesis ignores the theological implications.

5 God or emperor?

Imperial legacies in Byzantine Christian visual culture

Leslie Brubaker

This is a chapter in two unequal parts. The first part addresses the issues raised in my title directly: to what extent is it appropriate to talk about the imperial legacy of Christian ‘art’? The second looks at one facet of imperial imagery – the authority invested in likenesses of the emperor – and asks whether that particular legacy translated itself into religious portraiture.

God or emperor: a clash of scholars

In 1936, André Grabar published *L’empereur dans l’art byzantin*, the main thesis of which was that much early Christian and Byzantine Christian iconography was adapted from imperial imagery. The top centre relief of the sarcophagus of Junius Bassus, usually dated to the year 359, provides a classic, and well-known, example of Grabar’s thesis (Figure 5.1). It shows Christ, seated on a throne with lion finials, handing his teachings – his law, the new dispensation – to Peter and Paul; Christ sits above a personification of the heavens, an indication of his divinity. The formula has been adapted from Roman imperial sculpture, as seen on the Arch of Galerius from a half a century earlier, showing the emperor dispensing his own authoritative edicts from a throne – not very visible here, but in other examples replete with lion finials – above a personification of the heavens, an indication of *his* divinity (Figure 5.2).¹ In this instance, the message is similar: emperor and Christ disperse wisdom from on high. In other examples, Christian adaptations of Roman imperial motifs were more random. During the reign of Constantine (sole rule 324–337), when Christianity received the official recognition of the state, high-status Christian commissions – such as the sarcophagus of Junius Bassus – were produced by the same teams that produced imperial commissions – such as, for example, the Arch of Constantine in Rome (this was demonstrated 35 years ago now by Beat Brenk²) – and so it is not surprising that formulas and details migrated from one work to another.

Byzantinists (and art historians in general) have almost universally accepted the close relationship between Christian and imperial imagery as a comfortable subset of a larger pattern, which saw much early Christian iconography as modified Roman imagery. Sometimes it is unclear which we are viewing:



Figure 5.1 Sarcophagus of Junius Bassus (359): detail, Christ Enthroned (Vatican City, Museo Sacra).



Figure 5.2 Thessaloniki, Arch of Galerius (c. 300): detail, enthroned emperors.

does the mosaic from the necropolis under St Peter's in Rome (Figure 5.3) portray Helios (the Graeco-Roman sun god), or Christ, or Christ-as-Helios?³ In this particular instance, the potential range of meanings is further complicated by the association of Helios (also known in Latin as *sol invictus*, the invincible sun) with Roman emperors, to whom he was often a 'special friend'.⁴ Constantine the Great, for example, associated himself with Helios on his coins (Figure 5.4), and even after his official recognition of Christianity had himself depicted as Helios on a statue that once stood on a column in his forum in Constantinople.⁵ This entanglement of meaning – is it Christ, Constantine, Helios/*sol invictus* or all three at once? – indicates the kinds of complicated, multilayered communication that images can be very good at conveying. But not everyone agrees with the core assumption: the importance of the imperial legacy on early Christian, late antique and Byzantine art was called sharply into question in the 1990s by Thomas Mathews, who in his *The Clash of Gods* argued that what he called the 'emperor mystique' had been grossly overstated, and that its prominence had skewed – and even deformed – our understanding of Christian art. After a flurry of book reviews in the mid-1990s – one of the most interesting of which, written by Peter Brown, appeared in *Art Bulletin* in September of 1995 – Mathews's book has been often cited, but its actual arguments have been largely ignored. What I want to do here is briefly to revisit some of Mathews's themes and to use



Figure 5.3 Rome, St Peter's necropolis: mosaic of Christ Helios? (third or fourth century).

this critique as a framework within which to evaluate the imperial legacy in Byzantine iconography.

Mathews makes two points that are particularly important to this re-evaluation. First, images that look 'imperial' to modern eyes are not necessarily indebted to actual portrayals of the emperor. He demonstrates quite convincingly that



Figure 5.4 Coin of Constantine I as Helios.

early apsidal compositions presenting Christ enthroned surrounded by the apostles – for example, the earliest preserved apse mosaic, dating to the early fifth century, at Sta Pudenziana in Rome (Figure 5.5) – do not derive from imperial imagery, as comparison with imperial portraits across the fourth and fifth centuries makes clear.⁶ Reliefs from the Arch of Constantine (c. 320) and the *missorium* of Theodosios I (388, Figure 5.6), for example, display the emperor seated on a *sella curulis* surrounded by standing figures, as regulated by law; the apse mosaic shows Christ on a throne with a high back, surrounded by seated figures, in a composition that has more in common with images of philosophers or other learned men conversing (as, for example, the miniatures of doctors in the Vienna Dioskourides of 512) than it does with portrayals of the emperor.⁷ Second, Mathews argues that many early Christian images appear to have been invented more or less from scratch and without any intent of promoting Christ's regal qualities. This is particularly evident in scenes of Christ's miracles, a frequent focus of early Christian imagery, where Christ is often depicted with what appears to be a magician's wand as he heals, raises people from the dead or performs other miracles.⁸ As Mathews notes, scenes such as these demonstrate that early Christian artisans did not restrict themselves to borrowing from earlier sources, imperial or otherwise.

Other successful attempts to distance Christian imagery from imperial imagery are less happily argued. Each of Mathews's chapters focuses on particular iconographic motifs. 'The chariot and the donkey', for example, looks at Christ's Entry into Jerusalem,⁹ the iconography of which has traditionally been linked with depictions of an emperor making a triumphal entry (an *adventus*) into a city after a military victory.¹⁰ Mathews makes the point that the scene owes its special significance to the episode's use in the Byzantine liturgy as 'an emblem' of the Eucharist: a phrase from the Gospel description of the entry ('Blessed is he who comes in the name of the Lord') was applied to the bread and wine of communion.¹¹ He then discredits attempts to link the iconography of the scene with

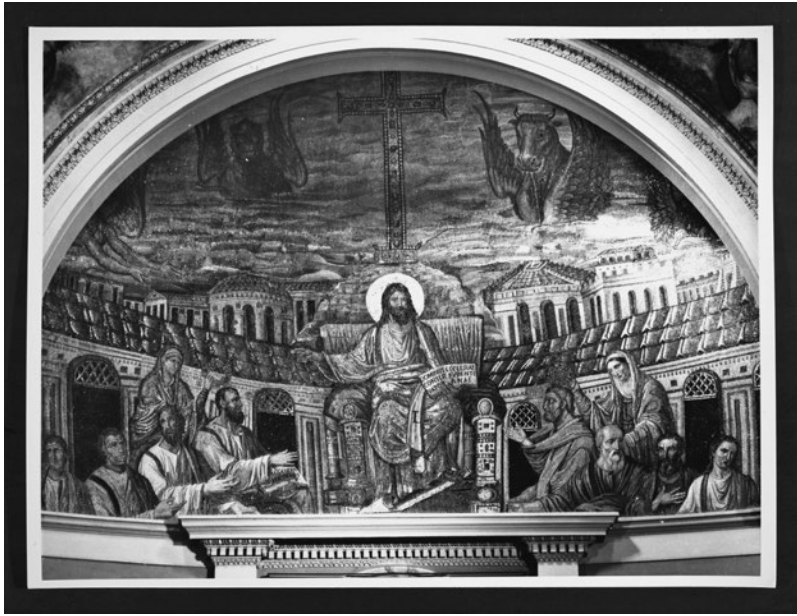


Figure 5.5 Rome, Sta Pudenziana, apse mosaic (early fifth century).



Figure 5.6 Missorium of Theodosios II (388).

images of imperial *adventus*, noting that, unlike Christ in scenes of the Entry into Jerusalem, in images of an imperial *adventus* the emperor was never shown riding side-saddle, nor on an ass, nor accompanied by boys in trees – all three features which routinely appear in Byzantine depictions of the scene, though Christ is not presented side-saddle (nor with boys in trees) in the earliest known Byzantine image of the Entry, a fifth-century relief in the Archaeological Museum in Istanbul (Figure 5.7).¹² But Mathews's subsequent attempt to link the image to the return of an elite 'gentleman' (his phrase) hardly makes the point he would like: that images of Christ were anti-establishment.¹³ And, in fact, I have found no images of elite men returning home on donkeys, or riding side-saddle. Why Christ is riding on an ass rather than on a higher-status horse is a question easily answered: the gospels of Matthew (21.5) and John (12.14–15) say he was. The gospels are making a point about Christ's humility, and Mathews suggests that in the early Christian world donkeys were more important than I, at least, suspected:¹⁴ but neither of these issues subverts the basic fact that Christ's ass-riding is text driven. The boys in trees, meanwhile, appear to be an elaboration based on an episode often conflated with the Entry into Jerusalem, the conversion of Zacchaeus, who climbed a tree so that he could see Christ (Luke 19.1–5), and was interpreted by early Christian exegetes as a prime example of Christ's conversion of the Gentiles.¹⁵ Why Christ is displayed riding side-saddle in most Byzantine (but not Western) versions of the scene is less easily explained. It is one of those details, like what Christ wears, that is never described in texts but



Figure 5.7 Marble relief, Entry into Jerusalem (fifth century). (Istanbul, Archaeological Museum)

that is remarkably consistent in the visual evidence; it is, in other words, a visual convention that, unlike Christ riding on an ass, appears to have been driven by visual habit rather than by written reports. Why? Mathews suggests that the riding position 'feminises' Christ,¹⁶ and he returns to the feminisation of Christ in a later chapter as well.¹⁷ It is certainly true that there are a few early Byzantine images of women riding side-saddle (these are mostly of Mary, on the Flight into Egypt),¹⁸ and if the position was indeed intended to feminise Christ the iconography would provide a nice gender inversion of the type familiar in the later Latin West, about which Caroline Bynum has written so eloquently.¹⁹ But while Christ's masculinity is hardly stressed in the New Testament, Mathews provides no evidence to support an urge to feminise Christ in this particular context, and I know of none. 'Christ as mother' is a late and Western medieval concept,²⁰ and male saints who dress as women in late medieval texts are making a conscious point – they are giving up something valuable and strong (their masculine persona) for something perceived by them and by their society as something weak.²¹ Women who cross-dress – and this happens predominantly in early Byzantine hagiographical texts – do so because it is only by 'becoming male' that they can become holy.²² Christ riding side-saddle does not find a happy niche in any of these scenarios. It is possible that Christ is normally shown riding side-saddle in representations from the Christian East because the episode became so important liturgically in Byzantium that the faithful needed to be able to see Christ, and his blessing gesture, clearly.²³ This seems as likely as Mathews's thesis that Christ's position is meant to feminise him, for which there is no compelling evidence. Nor, however, is there any visual indication that the scene was modelled on an imperial *adventus*, so we can accept Mathews's core argument that this traditional designation of 'imperial legacy' (or heritage) does not stand the test of scrutiny, even if we cannot quite agree with his revisionist, new reading of the significance of the scene.

Some of Mathews's points are, however, more controversial. Of particular concern in an article examining the imperial legacy in Byzantine art is his suggestion that some early Christian imagery should be seen as explicitly anti-imperial. Mathews focusses here on the Crossing of the Red Sea, which Eusebios paralleled with Constantine's victory over Maxentius at the Milvian Bridge in 312, a typology that was particularly apt because just as pharaoh and his troops drowned in the Red Sea, Maxentius and his troops fell into the Tiber, the river spanned by the Milvian Bridge.²⁴ This is the victory that was accompanied by Constantine's dream of the cross, and the vision and the voice crying 'in this sign, conquer', and which was followed by Constantine's recognition of Christianity in the Edict of Milan the following year, so it had great resonance for Byzantine Christians – so much so that, in at least one text dated to around the year 800, the event was located in Constantinople rather than in Rome.²⁵ Mostly, however, the Crossing of the Red Sea was interpreted by Byzantine exegetes as a metaphor for baptism: in a familiar miniature from the Paris Gregory of c. 880, for example, it is the dominant image on a page devoted to picturing baptismal antitypes (Figure 5.8).²⁶ Mathews nonetheless interprets



Figure 5.8 Paris, gr.510, f.264v: Moses and the burning bush, conversion of Saul/Paul, ascension of Elijah, crossing of the Red Sea. (Paris, Bibliothèque nationale de France)

the iconography as explicitly anti-imperial because it focuses on the drowning of the ruler, pharaoh, who is often shown in Byzantine imperial costume.²⁷ This seems problematic to me: the painter needed to portray a sovereign, and what other visual ‘language’ was available to signify a (pre-Islamic) ruler? Certainly other rulers believed later to be evil – such as Julian the Apostate – were also shown in imperial dress,²⁸ because otherwise the viewer would not be able

to identify them properly as rulers. Without visually identifying the loser as Moses's pharaonic oppressor, how else could an artisan show the magnitude of Moses's action in closing the Red Sea to save his people? In other words, while images of the Crossing of the Red Sea certainly show Moses's triumph, wand in hand, over a specific oppressive ruler, Pharaoh, they cannot convincingly be read as generic anti-imperial images.

One conclusion that we can draw from this overview of the two paradigms, Grabar's and Mathews's, is that Christian imagery is more complicated than a simple binary between 'Christian' and 'imperial' allows. Imagery pictorializing Christ's authority was not invariably borrowed directly from the imperial visual vocabulary; nor do portrayals of Christ that have no obvious links with imperial motifs necessarily (or indeed, so far as I am aware, ever, in Byzantium) display an anti-imperial agenda; nor, in fact, do images that appear to borrow an 'imperial' motif necessarily use it to mean the same thing that the motif meant in its original imperial context. It is to Mathews's great credit that he made the problems of linking 'church' and 'state' together without nuance abundantly clear for the early years of 'official' Christianity, and the complications inherent in too readily blurring that distinction do not disappear as one moves away from the era of late Antiquity.

Mathews's appreciation of a different series of models is an important corollary to his sceptical reconsideration of the impact of imperial imagery on early Christian art: he argued vigorously that early images of Christ owed as much to images of non-Christian gods as they did to the imperial legacy.²⁹ I am less convinced by this argument, but the key issue here, it seems to me, is that while Christian images could borrow from imperial imagery without any apparent problem, they could never overtly model Christian holy portraits on non-Christian images of gods. The scarce textual evidence we have makes it nonetheless very clear that, when recognised, any attempts to portray Christ or saints in ways associated with the Roman gods was met with strong resistance. Early images of Christ or saints may superficially resemble an earlier panel painting of various gods (as Mathews argues),³⁰ but early Christian authors were fiercely opposed to any connection: sacred portraits were discouraged as 'pagan'.³¹

Portraits of holy people (what we now call icons) were produced anyway: none are preserved from earlier than (maybe) the fifth century, but there are incidental mentions of icons in texts from the late fourth century onward; however, so far as we can tell from the written sources they carried none of the muscle formerly ascribed to images of the gods until a good century and a half after 'ancestral rites' were abolished by Theodosios I.³² It was not until the mid-sixth century that Byzantine texts granted icons the capacity to protect cities – a facility habitually accorded to Roman portraits of important gods³³ – and they are ascribed no intercessory or salvific powers until the late seventh century, when the threat of pagan contamination was long past.³⁴

But while the association of Christian portraits with pagan imagery was condemned in written sources of late antiquity, the association of Christian imagery with imperial representations occasioned little if any negative commentary in

Byzantium. It is hardly surprising that late antique Christians were sensitive to images that might blur the distinction between Christian and non-Christian practice, but it is surely significant that Christian authors as authoritative as Basil of Caesarea (c. 329–379) and John Chrysostom (c. 345–407) mentioned imperial imagery without any hint of disapproval, and even used descriptions of painters producing imperial imagery as metaphors to explain proper Christian behaviour.³⁵ While our authors refuse to associate images of the gods, and the might that they could unleash, with portraits of sanctified Christians, they apparently found the weight of imperial imagery benign. This may be because Christians considered ‘pagan’ imagery to be irrational and capable of magic activity, whereas images of the emperor conveyed ideals of the stability the state and the due processes embodied by the law courts (the location of many official imperial portraits).³⁶

Certainly when Christian authors of late antiquity discuss ‘pagan’ images they rarely have positive things to say; but, more importantly, the forces that they ascribe to them are always both negative and irrational.³⁷ And although amuletic signs and the motifs on implements of magic that drew on non-Christian vocabulary were not (usually) considered by their wearers to bring negative influences with them – though such objects were routinely condemned by churchmen³⁸ – their irrational aspects remained strong, as exemplified by the nonsense syllables that appear on them so often: the very irrationality of the ‘text’ took it outside the boundaries of human experience and into the realm of the supernatural.³⁹

Potency of this kind – irrational and not easily controlled by people in socially respected positions – could be dangerous, and was routinely described by early churchmen as threatening and unsafe, whereas the authority of the imperial images was linked by them with virtue, justice and victory.⁴⁰ It may not be a coincidence that by the mid-sixth century, when Christian images are first described in texts as exercising power, the best-known example – an image not-made-by-human-hands, the so-called mandylion of Edessa – was said to have been commissioned by a king, Abgar,⁴¹ thus indirectly linking royal and Christian agency. This is a different kind of imperial legacy, a legacy carried not by motifs but by metaphors and, ultimately, impact.

In the second and shorter half of this chapter, then, I want to move from questions about morphology and iconography (did Christians borrow motifs from Roman imperial art) to questions about the impact of images: what, precisely, is the relationship between the authority nested in images of the emperor and the weight eventually invested in images of Christ and the saints?

An imperial legacy?

The force believed to reside in images of the emperor is most overt in the practice of *damnatio memoriae* and, more positively, in the legal sphere. *Damnatio memoriae* was widely practiced in the Roman and early Byzantine period, when portraits of past rulers who had fallen out of favour were routinely defaced, as almost entirely removing their (usually) sculpted presence debased their memory

while reminding spectators of exactly whom they should continue to hate.⁴² A more affirmative role of imperial portraiture is apparent in Roman and early Byzantine courts of law, where, as visualised in the famous image of Christ before Pilate in the sixth-century Rossano Gospels, an image of the emperor 'stood in' for the emperor himself to authorise the proceedings of law courts.⁴³ Outside the courts, belief in the 'real presence' of the reigning emperor in his portraits is clear from passages such as the famous metaphor used by St Basil in his fourth-century sermon *On the Holy Spirit*:

For the Son is in the Father and the Father is in the Son . . . How, then, if they are one and one, are there not two Gods? Because the imperial image, too, is called the emperor, and yet there are not two emperors: neither is the power cut asunder nor is the glory divided. And as the authority that holds sway over us is one, so the glorification that we address to it is one and not many, since **the honour shown to the image is transmitted to its prototype**.⁴⁴

That honouring the imperial image bestowed honour on the actual emperor, and, conversely, that dishonouring an imperial portrait was the equivalent of showing disrespect to the emperor himself, remained a useful rhetorical tool until at least the early ninth century, when, according to the hagiographical *Life of St Stephen the Younger*, written around 810, the pro-image saint threw a gold coin stamped with images of the reigning emperors on the ground in front of the iconoclast emperor Constantine V and was duly thrown into prison.⁴⁵ This rhetorical flourish signals the continuing belief in the authority of the imperial image, but only a handful of texts written after the *Life of St Stephen the Younger* consider imperial portraiture in this light, and there are even fewer after the fall of Constantinople to the Fourth Crusade in 1204. The new images of influence were, by the early ninth century, portraits of saints, Christ and the Virgin Mary.

The power trajectory of sacred portraits is, however, quite different from that of imperial portraits. Images of Christ that miraculously appeared without human intervention – the famous images-not-made-by-human-hands (*acheiropoietia*) – were cited in texts from the mid-sixth century onward as protectors of cities.⁴⁶ Icons painted by human beings, however, surface in the textual evidence only as ways of keeping the memory of a saint alive until the late seventh century, when, abruptly and with increasing frequency, they suddenly took on a new and active role as conveyors of human prayers to the saint represented.⁴⁷ Just as the image of the emperor represented the actual emperor, so now the image of the saint was transformed from a simple *aide-mémoire* to a representation of the actual saint; and, from around the year 725, St Basil's famous phrase, 'the honour shown to the image is transmitted to its prototype', was applied to religious portraits.⁴⁸ This innovative understanding of the sacred portrait meant that a significant new role that sacred portraits could play was intercessory: the saint depicted on the icon could intercede with God or Christ on behalf of the

worshipper.⁴⁹ This shift appears to have been practice-led, but the new roles of icons quickly became institutionalised and were written down (with appropriate restrictions attached) by churchmen across the eighth and ninth centuries, during and after the debates about images that were provoked by the new powers of religious portraits, a struggle that we call Iconoclasm (c. 720–843).⁵⁰ The transformative effects of icons henceforth had great rhetorical traction in Byzantine texts until the end of the empire in 1453; they remain a strong force in Orthodox writings to this day.

But while texts emphasising the impact of imperial imagery decrease in number about 150 years after holy portraits became the rhetorical (and, apparently, actual) focus for some sort of supernatural but real presence in an image, we cannot conclude that the impact of the imperial legacy morphed seamlessly and organically into the impact of the sacred image. It is true that the response to imperial and saintly portraits was sometimes similar. Like the imperial image in law courts, icons were occasionally called upon to valorise legal transactions,⁵¹ and portraits of the emperor and of saints were accorded sufficient respect that defacement was punishable either by law (in the case of the emperor) or by supernatural forces (in the case of icons).⁵² Sometimes the audience took matters into its own hands and scratched out the faces of those shown defacing icons, the best known example of which is in the Khludov Psalter, where the faces of the iconoclasts depicted whitewashing an icon have been destroyed even though the miniaturist had already condemned them by equating them with the tormentors of Christ on the cross.⁵³

But there are far more instances where the energy credited to imperial and sacred images were differently constructed, and this argues against any simple transition of authority from one type of image to another. With the exception of Constantine, who was sanctified and celebrated with his mother Helena at feasts promoting the True Cross, effective portraits of emperors were images of living rulers; effective portraits of Christ, the Virgin Mary and saints were images of men and women no longer present on earth. Potent portraits of emperors were signs of imperial clout, meant to evoke awe and, sometimes, fear. Powerful portraits of Christ, the Virgin and saints were sites of miracles and intercession: they, too, could evoke emotion, but the most appropriate response to an icon was tears, not fear. Icons could also have an intimate relationship with their viewers: Byzantine believers then, like Orthodox believers now, touched and kissed icons. It is hard to imagine believers (then or now) touching and kissing images of the emperor (or equivalent, despite Vladimir Putin's best efforts).

This suggests that, with certain exceptions, the imperial legacy of Christian imagery is time bound and in some important respects superficial: it is largely restricted to early Christian and late antique works, and is primarily – though not exclusively – about form (iconographical patterns) rather than content or audience response. Images of both the emperor and Christ could be very powerful indeed, but – in the Byzantine world at least – images of God always trumped images of the emperor. In the world of visual communication after the death of Constantine in 337, Christ conferred authority and status to the ruler.

The visual rhetoric of imperial humility demonstrates the impact of both types of portraiture, but it also sharply illuminates how differently political and holy power was constructed visually by the Byzantines.

I suppose that imperial legacy (unlike, perhaps, imperial heritage) is always about institutionalised power, and how the authority of the official past can be translated and adapted to different ends to suit the needs of the living, needs that come in many guises. Paradoxically, Tom Mathews's *The Clash of Gods*, intended to debunk the 'emperor mystique' by focusing on a narrow and literal definition of power and its visualisation, in fact leads us to recognise how many different types of visual authority coexisted in the Byzantine world, and how intertwined these types of power could be.

Notes

- 1 This comparison has been made often. See, for example, B. Brenk, 'The Imperial Heritage of Early Christian Art', in K. Weitzmann (ed.), *Age of Spirituality: A Symposium* (New York, 1980), pp. 39–52, at 45.
- 2 Brenk, 'Imperial Heritage', pp. 39–52.
- 3 K. Weitzmann, (ed.), *Age of Spirituality. Late Antique and Early Christian Art, Third to Seventh Century* (New York, 1979), pp. 522–523 (cat. no. 467); J. Toynbee and J. Ward-Perkins, *The Shrine of St Peter and the Vatican Excavations* (London, 1956), pp. 72–74.
- 4 R. Krautheimer, *Three Christian Capitals, Topography and Politics* (Berkeley, 1983), pp. 31–33.
- 5 See, for example, Krautheimer, *Three Christian Capitals*, pp. 55–56.
- 6 T. Mathews, *The Clash of Gods. A Reinterpretation of Early Christian art*, rev. edn (Princeton, 1999), pp. 92–114. Mathews references C. Ihm, *Die Programme der christlichen Apsis malerie vom vierten Jahrhundert bis zur Mitte des achten Jahrhunderts*, *Forschungen zur Kunstgeschichte und christlichen Archäologie* 4 (Wiesbaden, 1960); since the publication of *Clash of Gods*, two further fundamental studies of early Christian apse decoration have appeared: J.-M. Spieser, 'The Representation of Christ in the Apses of Early Christian Churches', *Gesta* 37 (1998): pp. 63–73; and B. Brenk, *The Apse, the Image and the Icon: An Historical Perspective of the Apse as a Space for Images* (Wiesbaden, 2010).
- 7 Mathews, *Clash of Gods*, pp. 103–108. For the Dioskourides images (Vienna, Österreichischen Nationalbibliothek, med.gr.1, fols 2v and 3v), see H. Gerstinger, *Dioscorides. Codex Vindobonensis med.gr.1 der Österreichischen Nationalbibliothek*, 2 vols. and *Kommentarband zu der Faksimileausgabe* (Graz, 1970).
- 8 Mathews, *Clash of Gods*, pp. 54–91.
- 9 *Ibid.*, pp. 23–53.
- 10 See in general M. McCormick, *Eternal Victory: Triumphal Rulership in Late Antiquity, Byzantium and the Early Medieval West* (Cambridge, 1986); S. MacCormack, 'Change and Continuity in Late Antiquity: The Ceremony of the *Adventus*', *Historia: Zeitschrift für Alte Geschichte* 21 (1972): pp. 721–752; S. MacCormack, *Art and Ceremony in Late Antiquity* (Berkeley, 1981). On the iconography of the scene as a whole, see E. Dinkler, *Der Einzug in Jerusalem: Ikonographische Untersuchungen im Anschluss an ein bisher unbekanntes Sarkophagfragment*, Arbeitsgemeinschaft für Forschung des Landes Nordrhein-Westfalen, Geisteswissenschaften Heft 167 (Opladen, 1970).
- 11 Matthew, *Clash of Gods*, 21:9; Mathews, *Clash of Gods*, p. 39.
- 12 Conveniently reproduced in Mathews, *Clash of Gods*, Figure 21.
- 13 Mathews, *Clash of Gods*, pp. 23–53, esp. pp. 33–37 and p. 43.
- 14 *Ibid.*, pp. 43–50.
- 15 Dinkler, *Der Einzug in Jerusalem*, pp. 36–42 and pp. 53–55. Mathews interprets the relationship differently: *Clash of Gods*, p. 197 n. 10.

- 16 Ibid., pp. 41–43.
- 17 Ibid., pp. 115–141.
- 18 See, for example, Mathews, *Clash of Gods*, fig. 25.
- 19 See, for example, Caroline Bynum, 'Women's Stories, Women's Symbols: A Critique of Victor Turner's Theory of Liminality', in R.L. Moore and F.E. Reynolds (eds.), *Anthropology and the Study of Religion* (Chicago, 1984), pp. 105–125.
- 20 The classic work remains C. Walker Bynum, *Jesus as Mother: Studies in the Spirituality of the High Middle Ages* (Berkeley, 1982).
- 21 Bynum, 'Women's Stories'; and, for this concept in Byzantine hagiography, E. Patlagean, 'Ancienne hagiographie byzantine et histoire sociale', *Annales. Economies, sociétés, civilisations* 1 (Paris, 1968), pp. 106–126; repr. in Patlagean, *Structure sociale, famille, chrétienté à Byzance, IVe-XIe siècles* (London, 1981), essay 5; Eng. trans. 'Ancient Byzantine Hagiography and Social History', in S. Wilson (ed.), *Saints and Their Cults: Studies in Religious Sociology, Folklore and History* (Cambridge, 1983), pp. 101–121.
- 22 See E. Patlagean, 'L'histoire de la femme déguisée en moine et l'évolution de la sainteté féminine à Byzance', *Studi Medievali*, ser. 3, 17 (1976): pp. 597–623; repr. in eadem, *Structure sociale, famille, Chrétienté à Byzance (IVe-XI siècle)* (London, 1981), study 11. Good examples are provided by the Lives of Mary/Marinos and of Matrona of Perge, trans. with commentary by N. Constat (Mary/Marinos), J. Featherstone and C. Mango (Matrona), in A.-M. Talbot, *Holy Women of Byzantium: Ten Saints' Lives in English Translation* (Washington, 1996), pp. 1–64.
- 23 The liturgical significance is noted in Mathews, *Clash of Gods*, pp. 39–41.
- 24 Mathews, *Clash of Gods*, pp. 72–77; Eusebios, *Ecclesiastical History*, translated John Ernest Leonard Oulton, Vol. 2, books 6–10 (London, 1936).
- 25 See A. Cameron and J. Herrin (eds.), *Constantinople in the Early Eighth Century: The Parastaseis Syntomoi Chronikai*, Columbia Studies in the Classical Tradition 10 (Leiden, 1984), pp. 192–193.
- 26 L. Brubaker, *Vision and Meaning in Ninth-Century Byzantium: Image as Exegesis in the Homilies of Gregory of Nazianzus in Paris* (Cambridge, 1999), pp. 217–221, fig. 28.
- 27 Mathews, *Clash of Gods*, pp. 72–77.
- 28 See, for example, Brubaker, *Vision and Meaning*, figs 17 (Valens), pp. 39–40 (Julian the Apostate).
- 29 Mathews, *Clash of Gods*, pp. 177–190.
- 30 Ibid.
- 31 The relevant texts are discussed at length in L. Brubaker and J. Haldon, *Byzantium in the Iconoclast Era c. 680–850: A History* (Cambridge, 2011), pp. 36–38.
- 32 On which see Zosimos, *New History*, 4.59: Eng. trans. from Zosimus, *New History*, trans. and commentary R. Ridley, *Byzantina Australiensia* 2 (Sydney, 1982), p. 98.
- 33 The classic discussion remains R. Gordon, 'The Real and the Imaginary: Production and Religion in the Graeco-Roman World', *Art History* 2 (1979): pp. 5–34.
- 34 The evidence is discussed in detail in L. Brubaker, 'Icons before Iconoclasm?', *Morfologie sociali e culturali in europa fra tarda antichità e alto medioevo*, Settimane di Studio del Centro Italiano di Studi sull'Alto Medioevo 45 (1998): pp. 1215–1254.
- 35 A nice selection appears in C. Mango, *The Art of the Byzantine empire 312–1453* (Englewood Cliffs, NJ, 1972), pp. 47–48.
- 36 As illustrated in the sixth-century Rossano Gospels (fol. 8r): G. Cavallo, J. Gribomont and W. Loerke, *I vangeli di Rossano: le miniature / The Rossano Gospels: the miniatures* (Rome, 1987).
- 37 See, e.g., Cameron and Herrin, *Parastaseis*, pp. 31–34; L. James, "'Pray Not to Fall into Temptation and Be on Your Guard": Pagan Statues in Christian Constantinople', *Gesta* 35 (1996): pp. 12–20.
- 38 See G. Vikan, 'Art, Medicine, and Magic in Early Byzantium', *Dumbarton Oaks Papers* 38 (1984): pp. 65–86; E. Dauterman Maguire ED, H. Maguire and M. Duncan-Flowers, *Art*

- and *Holy Powers in the Early Christian House* (Urbana, IL, 1989); J. Spier, 'Medieval Byzantine Magical Amulets and Their Tradition', *Journal of the Warburg and Courtauld Institutes* 56 (1993): pp. 25–62; and the excellent collection of essays in H. Maguire (ed.), *Byzantine Magic* (Washington, DC, 1995), esp. M. Dickie, 'The Fathers of the Church and the Evil Eye', in H. Maguire (ed.), *Byzantine Magic* (Washington, DC, 1995), pp. 9–34; H. Maguire, 'Magic and the Christian Image', in H. Maguire (ed.), *Byzantine Magic* (Washington, DC, 1995), pp. 51–71; and M.T. Fögen, 'Balsamon on Magic: From Roman Secular Law to Byzantine Canon Law', in H. Maguire (ed.), *Byzantine Magic* (Washington, DC, 1995), pp. 99–115.
- 39 See, e.g., H. Betz (ed.), *The Greek Magical Papyri in Translation*, 2nd edn (Chicago, 1992).
- 40 See the references in note 35 and 38.
- 41 A letter rather than an image appears in the earliest account; the image first surfaces in a version dated to around the year 400, and it becomes a miraculous picture – the 'agent of Abgar's conversion' – by the sixth or seventh century: see A. Cameron, 'The History of the Image of Edessa: The Telling of a Story', *Okeanos, Essays presented to Ihor Ševčenko*, Harvard Ukrainian Studies 7 (Cambridge, 1983), pp. 80–94, at pp. 81–83; reprinted in eadem, *Changing Cultures in Early Byzantium* (Aldershot, 1996), study 11. On the association of rulers with miraculous images in the period we call late antiquity, in non-Christian as well as Christian traditions, see M. Bacci, *The Many Faces of Christ: Portraying the Holy in the East and West, 300 to 1300* (Chicago, 2014), pp. 20–24.
- 42 See the excellent study by C. Hedrick, *History and Silence: Purge and Rehabilitation of Memory in Late Antiquity* (Austin, TX, 2000), esp. 89–131.
- 43 Rossano, Diocesan Museum, ff.8r–v; G. Cavallo, J. Gribomont and W. Loerke, *I vangeli di Rossano: le miniature / The Rossano Gospels: the miniatures* (Rome, 1987). On the emperor's presence through his legislation, the context for the Rossano image, see J. Harries, *Law and Empire in Late Antiquity* (Cambridge, 2001), esp. 55, 66.
- 44 PG32:149C; English trans. from Mango, *Art of the Byzantine empire*, 47. This later became a linchpin of iconophile theory, but it was not applied to Christian portraiture until the eighth century.
- 45 *Life of St Stephen the Younger*, 55: M.-F. Auzépy, *La vie d'Étienne le Jeune par Étienne le Diacre, introduction, édition et traduction*, Birmingham Byzantine and Ottoman monographs 3 (Aldershot, 1997), pp. 156–57 (Greek), pp. 254–55 (French).
- 46 Brubaker, 'Icons before Iconoclasm?', pp. 1223–1231.
- 47 Ibid., pp. 1248–1253; Brubaker and Haldon, *Byzantium in the Iconoclast Era*, pp. 772–787.
- 48 The association was first made by John of Damascus: *Against those who attack divine images* I.21, 35 (=II.31, III.48) and III.42: ed. B. Kotter, *Die Schriften des Johannes von Damaskos III: Contra imaginum calumniatores orationes tres*, Patristische Texte und Studien 17 (Berlin, 1975), pp. 108, 147, and 143.
- 49 Brubaker and Haldon, *Byzantium in the Iconoclast Era*, pp. 782–787.
- 50 Ibid.
- 51 As noted by V. Déroche, 'L'authenticité de l'Apologie contre les Juifs de Léontios de Néapolis', *Bulletin de correspondance hellénique* 110 (1986): pp. 655–669, at 659.
- 52 There are many stories of the harm that befell the impious after harming or destroying an icon: for an early example, see an account (B.2) of struggles against demons compiled around 690 by Anastasios of Sinai, where a portrait of St Theodore in a church in Damascus is attacked by Saracens; it bleeds; the attackers all die: B. Flusin, 'Démon et sarrasins. L'auteur et le propos des *Diègēmata stèriktika* d'Anastase le Sinaïte', *Travaux et mémoires* 11 (1991): pp. 381–409. For a slightly later example, in Theophanes (early ninth century), this time involving an icon of the Virgin, see C. Mango and R. Scott, (eds.), *The Chronicle of Theophanes Confessor, Byzantine and Near Eastern History AD 284–813* (Oxford, 1997), p. 560.
- 53 Moscow, Historical Museum, cod. 129, fol. 67r: M.V. Ščepkina, *Miniaturi Khludovskoi Psalt'iri* (Moscow, 1977).

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Part III

Individual, group and corporate identity in an imperial context

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6 Religious pluralism in the Balkans during the late Ottoman imperial era

Towards a dynamic model

Nathalie Clayer

Hierarchical religious pluralism was one of the main features of the Ottoman way of governing. It is generally understood as the hierarchical administration of a plurality of religious communities, called *millets*, hierarchical because of the superior status of the Muslims. This categorisation in *millets*, however, does not really correspond to the reality, not only because many interactions between the people and the Ottoman state were not conditioned by this categorisation, but also because the reality of the religious landscape and the regulation of pluralism was far more complex. Many practices and discourses did not fit with the exclusive established classification. *Millets* as categories were, in any event, unstable through the second half of the nineteenth century until the end of Ottoman rule, since new *millets* were constantly being officially recognised.

In addition, the mechanism underwent other transformations in the late Ottoman period. The relation between the religious and the political spheres evolved considerably and, in particular, the place of Islam was redefined. The main factors of this evolution were the changing relations between the great European powers and the Ottoman Empire, and more generally the Muslim world; new ways of envisioning the link between Islam and “modernisation”; the redefinition of the bond existing between the sultan and his subjects/the Ottoman citizens; the shifting relation between the Ottoman centre and the provinces and, last but not least, the evolving relations between Muslims and non-Muslims in the empire.¹

As far as the Balkans are concerned, if we look at the local level, where other dimensions – transnational, international, imperial and regional – also had an impact, important and often interrelated political, social and religious transformations were to be seen in the nineteenth and early twentieth centuries, such as the diffusion of printing,² the spread of school networks³ and the extension of the networks of Christian missions.⁴ Also noteworthy was the enrichment of some Christians in certain regions because of migration and the loss of social capital among their fellow Muslims. Sociopolitical changes were due to the extension of the foreign consulates’ network, the development of nationalisms⁵ and the increase of violence.⁶ At a more strictly religious level, many transformations were taking place, such as the valorisation of Islam and Islamic morals resulting from the Hamidian policies⁷; the spread of positivism, materialism and

scientism⁸; the appeal of some new mystical paths or the transformation of others⁹; the apparition of new types of religious figures with new backgrounds; the development of new methods for religious teaching and religious apologetics¹⁰ and the spread of new religious trends. However, these transformations did not affect everybody in the same way, both because of the differences in economic and social statuses and because of the variety of individual trajectories in different macro- and micro-regional configurations constituting the environment of individuals.

Parts of these transformations tended to make boundaries between religious groups more rigid and served to confessionalise Ottoman society through the dynamics of opposition, confrontation, competition and rejection.¹¹ But there were also (and sometimes for the very same reasons) other types of socio-religious phenomena associated with the dynamics of contact, fluidity, hybridisation and imitation, in the same way that the nationalisation of the society does not erase dynamics of contacts, fluidity and ambiguity. Many interactions were regularly blurring and creating frontiers between categories which, in reality, were defined in a dynamic, rather than a fixed, way.¹² Furthermore, pluralism was also to be seen inside these usual categories.

Thus, the perspective that we ought to use must be more complex and dynamic in order to understand how pluralism was administered in a spiritual landscape that was fundamentally heterogeneous and moving, in an economic and social context that was also disparate and in rapid evolution, as was the case in the late Ottoman period. We have to study in this heterogeneous landscape how differences were maintained, negotiated and used, how frontiers were crossed or not between categories and how categories were changing in content, coherence and significance – not only religiously, but also socially and politically.¹³

In order to achieve this more nuanced understanding, I will use complex and subjective notions, which depend on different inward and outward perspectives. These notions render movements, oscillations, mixings and borrowings between denominational groups in the framework of imperial religious pluralism. They are not unrelated with the subjective viewpoint of actors, with their perception and particularly with their actions of categorisation and self-identification as they appear in our sources.¹⁴ Among these actors are the political, administrative and religious authorities responsible for the administration of religious pluralism, producing not only most of the sources, but also the believers. The proposed notions thus correspond to types of interaction which suppose that the different actors, or groups of actors, directly or indirectly in interaction are also affected by the interaction. The study relies on cases observable in the Western fringe of the Ottoman Balkan lands.

‘Becoming’ and ‘going towards’

As a first category of contacts resulting from religious plurality, let us take the notion of ‘becoming’. It refers to the passage from one religious group to another; that is to what is generally called ‘conversions’. During the late

Ottoman period in the Western fringe of the Ottoman Balkan territories, 'conversions' took place especially among the Albanian Catholic Christians in northern Albania and Kosovo. These regions had a special status (i.e. they were *müstesna*), and the Muslims were exempted from military service and certain taxes.¹⁵ Thus, the regional configuration was not the same as in Macedonia and Epirus, where paradoxically being Christian by the late Ottoman period was beginning to be more advantageous than was being Muslim. Christian males avoided military service and participation in deadly wars and were integrated into migration networks that could give them the possibility of enrichment.¹⁶ In the very same region, Muslims, for all of their supposed social mobility, primarily enjoyed military or administrative careers within an Ottoman state apparatus which was suffering from financial shortage and nepotism. In his memoirs, Bekir Grebene (a Muslim military officer from Epirus) clearly explains this situation and the feeling of being in a less favourable position than the Christians.¹⁷

In the northern border zones, the situation was different. There the Catholic sources show that becoming Muslim was often associated with migration from mountains to towns and plains where the Muslim environment was dominant, a migration caused by poverty or blood feuds. It was sometimes also due to the need to escape the sanction of the Church. But it was also a means to access some social and economic goods as well. Becoming Muslim was above all a way to acquire the prestige related to the status of Muslim and to really integrate into the group of the '*Shqiptar*' (the Albanian Muslims). The younger generation was particularly sensitive to experiencing the honour and respect of being Muslim. Being Christian was rather shameful. Indeed, the usual economic and social position of Catholics, especially in the northern Kosovar plains, where they were peasants working in harsh conditions the land of Muslim beys, was rather unfavourable.¹⁸

The Catholic sources do not mention, however, the implication of the Ottoman authorities, of the consular representatives of the great powers and their own interventions, when the official ceremony of conversion took place, as introduced with the *Tanzimat*. Perhaps this was because in most cases it was already too late to intervene; or perhaps it was because these were more political than religious issues. With the implication of diplomatic and administrative actors, the crossing of boundaries between groups acquired multiple meanings, and an even more pronounced sociopolitical dimension.¹⁹ In Macedonia, with the creation of the Bulgarian Exarchate and the recognition of a Bulgarian *millet* in 1870, if a majority of two-thirds of the local Orthodox population of a diocese decided to have a Patriarchist or an Exarchist bishop, the entire population of the diocese could become members of another religious community, whose boundaries had changed by the mechanism.²⁰

Notwithstanding this multi-confessional environment, there were also, at least for the Catholic authorities, gradual ways of 'becoming' Muslim – more subtle processes of 'going towards' Muslimness – that they were eager to fight against. Catholic missionaries were seeing a part of their

flock in the same northern regions taking Muslim names, adopting Muslim practices and beliefs (like the belief in destiny), and abandoning Christian beliefs without officially converting to Islam.²¹ How did these people consider themselves? It is difficult to know. They did not necessarily consider themselves as ‘going towards’ Islam, as the missionaries did. In fact, I would suggest introducing other notions in order to understand their point of view, such as ‘doing as’ and ‘practicing beyond’, which we will examine later. What is interesting is that this kind of move – or movement, to take the terminology of Mathijs Pelkmans²² – caused the strengthening of the blurred boundary between Christians and Muslims by Catholic missionaries. According to their spiritual hierarchy, Catholics should not give their girls to Muslims, take non-Catholic godfathers, take Muslim names, fast like Muslims during Ramadan, and so on. In all the missionary reports, as in the councils’ texts, such ‘abuses’ were denounced, and measures were prescribed to fight against them.²³

‘Being both’ or ‘being neither, nor’?

A second category of contacts is generally characterised as ‘being both’. This corresponds to the case of the groups generally called ‘crypto-Christians’. In the regions I am considering here, these ‘crypto-Christians’ were living in Kosovo (or, to be more exact, between modern Kosovo and Macedonia, in the Skopska Crna Gora region) and central Albania (in the Shpat region). Contrary to other cases of crypto-Christianity recently studied, for example by Zeynep Turkeyilmaz,²⁴ these two cases have not been seriously analysed, except for a specific aspect (the Church policy) by Ger Duijzing.²⁵ Consequently, it is difficult to evaluate the phenomenon correctly.

Like in Anatolia, this phenomenon appeared with the *Tanzimat* (and even from the beginning of the 1830s), when groups of people who were categorised as Muslims wanted to declare themselves Christians and hence escape conscription. If we follow Turkeyilmaz’s analysis, however, we can see that the phenomenon appeared for more complex socio-economic reasons. Not all the dualistic groups were inclined to move to new categories at that time. In the cases she has studied, problems in the mining system were identified as an important factor to understand the movements of these people. Skopska Crna Gora was also a mining region, but no study has taken into account this aspect. In Shpat, also the case does not seem to be the same. At all events, the local socio-economic framework has not been studied for this region either. Having henceforth the possibility to get support from Western actors (consuls, missionaries) and to rely on the promised liberties and rights, these groups produced – or used – a new narrative about their religious dualism, including a narrative on their Christian origin. The problem for Ottoman authorities was that this challenged the hegemonic discourse on the Islamicisation of Ottoman territory and population. The Ottoman authorities feared a massive reconversion process.²⁶

Following the new narrative, often forged by outsiders, it is said that these people were outwardly (or fake) Muslims and secretly (or true) Christians. But, it would be preferable, as Zeynep Turkeyilmaz does, to see their religious behaviours as being built on some secret Christian rites and some open Muslim rites, the set of rites varying according to the individuals, the time and the context.²⁷ This means that these people were not so much 'both' as they were 'neither, nor', 'neither Christian, nor Muslim', and that they formed groups that were distinct from Christians and Muslims. This reasoning helps us to understand what they became afterwards. Indeed, when they renegotiated their position in the changing society of the mid- to late nineteenth century, they did it in different manners according to the local and regional contexts and to the constraints and possibilities the region offered. The renegotiation could lead to assimilation into Christianity or into Islam, but more often they adopted a new form of dualism. In particular, they adopted a double name.²⁸

Paradoxically, the administrative or religious authorities contributed to this imperfect assimilation, inasmuch as they maintained them in special categories.²⁹ In the case of the crypto-Christians of Crna Gora, situated between Kosovo and Macedonia, Ger Duijzings has shown that the Church authorities in Letnica registered their baptisms specifically, with the comment '*occultis*' and from 1893 onwards, even in separate registers where they appeared under their double names (Christian and Muslim).³⁰

In the late Ottoman period, the allegiance of these crypto-Christian groups (the term itself comes from the Church and other Western actors) continued to be disputed – they were also seen as imperfectly Muslims by the Ottoman authorities. This gave these communities different possibilities to use.³¹ It was particularly the case for the *Shpatiot*s in central Albania until the end of the Ottoman administration in the region. Ottoman authorities decided several times to open school and to send *ulama* representatives to their region to make these 'imperfectly Muslims' better Muslims.³² At the same time, Russia, Greece and even Austria-Hungary (through Uniatism) tried to help them declare their 'true faith' and to make these 'crypto-Christians' 'true Christians', but they clashed over their political allegiance.³³

'Being imperfectly'

We just have seen that the crypto-Christians were considered, particularly by the Ottoman authorities, as 'imperfectly Muslim'. In doing so, they put them in the same category as other 'imperfectly Muslim' groups whose beliefs should be corrected,³⁴ among them Kizilbashs and Bektashis, as far as the Balkans were concerned. As with the case of the crypto-Christians, these groups were in direct or indirect contact with Westerners – missionaries, travellers and scholars – who saw them as crypto-Christian or as potentially sufficiently close to Christianity to be reconverted.³⁵

In the western fringe of the Ottoman Balkan lands, Protestant missionaries were not the only, or even the main Western actors close to the 'imperfect'

Muslims. Some non-Western actors also adopted a similar stance towards them. Indeed, local nationalist entrepreneurs were eager to enrol them into their 'imagined communities'. Greek nationalists, for example, explained that Albanian Bektashis were Greeks who had been Albanised and Islamised (contrary to other Albanian Muslims).³⁶ In a different way, Albanianists (including Austro-Hungarian consuls) used Bektashism at the end of the nineteenth century either in portraying Albanian Muslims as different from Turkish Muslims because of their Bektashism (even if not all the Albanian Muslims were Bektashis), or in trying to infuse nationalism into Bektashi circles through a new interpretation of the doctrine.³⁷ This urged the Hamidian administration to correct these imperfect Muslims in order to reinforce their orthodoxy and their Ottoman loyalty. For that, as in the case of crypto-Christians, schools were opened and members of the *ulama* were sent to different regions. In 1905, the *vali* of Yanya even decided to close down several *tekkes* in the *vilayet*, a policy which, on the contrary, contributed to the strengthening of the opposition to the Hamidian regime and also the boundary between local Bektashis and other Muslims.³⁸ Markers of alterity were not only the product of the authorities or of outsiders. Sometimes on the ground the Muslim/Bektashi boundary was strengthened for different reasons. Thus in 1899, when a league was formed for political reasons in Ipek/Pejë (today in western Kosovo) among local Muslims and a meeting was convened in Prishtina, only the Muslim notables from the *vilayets* of Kosova and Shkodër and from the *sancak* of Debre/Debar were invited. Representatives from the south were not invited since they were considered to be 'heretical Bektashis'.³⁹

Beyond these political developments, which tended simultaneously to erase and to mark boundaries between 'good' and 'imperfect' Muslims, the Bektashis (just to take this example of Muslims considered as 'imperfect') were far from forming homogeneous groups, and their inner and external boundaries were blurred and multiple. There was a plurality of ways to be Bektashi. For the majority of Bektashis in the Albanian provinces, Bektashism was above all a devotion to saints, dead and alive, to whom one went to ask for advice or remedy. For others, it was a set of doctrines and beliefs which varied. Some of them considered themselves, or wanted to present themselves, as good Muslims, even if not as better Muslims than other Muslims. And indeed some Bektashis belonged to the *ulama* class, studied in *medreses* and condemned certain beliefs or practices adopted by other Bektashis.⁴⁰ In a few Albanian *tekkes* in present southern Albania, for example, the consumption of alcohol was strictly forbidden.⁴¹ On the other hand, in other mystical brotherhoods in the Balkans – maybe more than in the Ottoman capital, for example among the Kadiris and Halvetis – the place of Ali and the *ehl-i beyt* became more and more important (with the celebration of Sultan Nevruz and *matem*, for example), and the piercing during the *ziker* ceremonies spread, making the boundary between the supposedly orthodox and heterodox Sufi brotherhood rather unclear.

We can see the high degree of subjectivity the use of this category of 'imperfectly Muslims' implies. It was even greater with the rise of Islamism at the

beginning of the twentieth century, through which some Muslims began to consider that Ottoman Muslims in general were 'imperfectly Muslims' who had to go back to the fundamentals of Islam. Thus, they introduced a new subjectivity, in itself partly a consequence of pressure they felt as coming from the West and from Christianity (above all from the missionaries), as well as from the spread of materialism among the elite.⁴²

Among the Christians, and particularly among Catholics,⁴³ we have seen that we can also find this categorisation of 'being imperfectly' and in need for a correction, when the Church authorities noticed what they called abuses. The answer consisted mainly in the development of catechism, printing and the setting up of congregations and missions, all in order to strengthen the group boundary.⁴⁴ Independently from the confession, we can consider separately a kind of contact which can make the faithful 'imperfect': the fact of adopting practices whose origins lay beyond the boundary of the group.

'Practicing beyond' and 'doing as'

The adoption of practices of other religious groups or the appeal to religious specialists of other religions was very common at the end of the nineteenth and beginning of the twentieth century, notably in two domains: the cult of saints and magical practices. The frequentation of the same sanctuaries – for that reason called 'ambiguous sanctuaries' by Frederick William Hasluck, who conducted fieldwork in Anatolia and the Balkans (particularly in the Albanian provinces) at the very beginning of the twentieth century⁴⁵ – is a well-known phenomenon. Muslims and Christians came to saints' tombs in order to obtain the same types of benefits – protection and healing – thanks to the mediation of saints. These could be Muslim or Christian sanctuaries, or sanctuaries claimed by both.⁴⁶ However, what neither Frederick Hasluck nor other contemporary observers have studied is what present anthropologists scrutinise in their study of mixed pilgrimages; that is, the concrete practices and rituals performed by visitors of both religions and the meaning(s) they give to them. It is here clear that these practices and meanings were not homogeneous, and could notably diverge from the norms established by religious specialists in charge of the sanctuaries.⁴⁷ They were also often different for Christians and Muslims. In particular, Muslims going to Christian shrines considered themselves to be going to the shrine 'of a Muslim saint (or vice versa), and thus had not necessarily the feeling of 'practicing beyond'.

The perception of 'practicing beyond' was perhaps more conspicuous in the case when the contact lay in the appeal to a religious specialist of another religion for thaumaturgical purposes: Christians going to see dervishes and hojas for the making of amulets or talismans and vice versa. In the reports of the *Missione Volante*, launched by the Jesuits in the mountains of today's northern Albania and in the *vilayet* of Kosova, the missionaries presented this kind of practice as the main and most dangerous 'abuse'. It is, of course, because their authority was being challenged by another living religious authority. Thus they not only

delegitimised the move beyond the group boundary, but they also delegitimised the other authority: they tried to show to the mountaineers that this practice was horrible, they castigated the *hojas* and dervishes who made such amulets and charms as Satan's henchmen. The missionaries said that the latter only pretended to solve problems, and if they succeeded, it was by chance.⁴⁸ In fact, as far as magic is concerned, the Other often possesses a magical power in itself. But 'practicing beyond' sometimes also implies another idea, that of 'doing as' (without a physical move to another place of cult or with another authority), since believers, in addressing prayers to saints, in doing offerings and in soliciting the magical power of religious specialists of the other religion, in many cases did as the believers of the other religion. We also have already seen that Christian Catholics could, at times, fast as Muslims did during Ramadan, instead of just prohibiting specific food.

More surprisingly perhaps, religious specialists were also led to 'do as'. At the end of the nineteenth century, the Jesuit missionaries I just mentioned, who wanted to prevent Catholics from going to Muslim clerics and asking for amulets, decided to use alternative methods: they distributed Saint Ignace water, medals and images of saints. Moreover, they also decided to make amulets themselves – small pieces of paper, folded in triangle, where they wrote pieces of the Scriptures. To their hierarchy, they justified this practice in referring to a supposed Christian tradition and in explaining the danger to see Catholics of these regions convert to Islam. They also tried to Christianise the practice. For that, they did not ask questions (the name of their mother, etc.) to the believers as the Muslim clerics did before making the amulets, but exhorted them to pray to God and made them recite a part of the Rosary, as well as other prayers.⁴⁹

The impact of Protestant missionaries active in the Ottoman Empire seems to have been important in the opposite way, not only in stimulating polemics with new types of argumentation⁵⁰ but also in provoking imitations among religious leaders of other denominations, Muslims and Christians alike. The use of printing and the diffusion of new ways of transmitting religious knowledge are two good examples of that, which are not, however, peculiar to the Ottoman Empire. They are to be found elsewhere at that time. In this way, from the 1860s onwards, the publication of the Holy Scriptures in Albanian by the British and Foreign Bible Society had an impact on Orthodox Christians and Muslims, even among the *ulama*, who began to read these books in their mother tongue. In Manastir/Bitola, one of these *ulama*, Receb Çudi Voka from Kalkandelen/Tetovo, bought books at the Protestant library in 1900. Later on, after the Young Turk revolution, he became mufti of Manastir and was the main advocate of printing Albanian in Arabic characters.⁵¹

'Erasing boundaries' or 'being the same'

The idea of erasing religious boundaries also existed around the turn of the twentieth century, but to a much lesser extent than that of crossing. The desertion of the religious sphere, or at least its transformation through materialism

and scientificism, existed among young members of both the Christian and Muslim educated elite. In the Ottoman capital, in particular, we know that among young intellectuals materialism was spreading around 1900. As Şükrü Hanioglu has shown, the ideas of Büchner were popularised and adapted by various Muslim entrepreneurs to the Ottoman context in different ways, in some cases trying to fuse it with Islam, in other cases not.⁵² We can imagine that among young Balkan alumni of the schools in the capital, who would later occupy positions in the provincial Ottoman administration, there were also materialists for whom religious boundaries were to be erased. However, socially, it was very difficult for them to behave as such. Mixed marriages were, for instance, exceptional, except in the 'traditional sense' (a Muslim man can marry a Christian woman).

The spread of nationalism had also an impact in the way religious boundaries were considered. At the beginning of the twentieth century among the educated elite, a discourse⁵³ tended to build a common sense of belonging for Muslims and Christians alike, in the framework of Albanianism – the political and social use of the idea of the existence of an Albanian nation. Because they wanted to unite the 'Albanian nation' and to legitimise its existence in the eyes of the great powers, some Albanianists began to spread the idea that religion (and especially Islam, which was the religion of the majority of the Albanians) was less important for Albanians than was their ethnic identification. 'The religion of the Albanians is Albanianness,' wrote Pashko Vasa, a Catholic Ottoman bureaucrat, as an injunction to his fellow countrymen during the Eastern Crisis. Naim Frashëri, who was among the first Muslim intellectuals to be active in the development of Albanianism in the 1880s by means of the publishing of textbooks and literary works, wrote in a reader that Albanians were one of the first people in Europe; they were not Helens, nor Latins nor Slavs; they all were one, Albanians, and believed in the same God, had the same blood and the same tongue.⁵⁴ In doing so, he tended to put all Albanians into a common religious group and to erase previous religious boundaries.

After 1896–1897, some Albanianists used the image of continual crossings of religious boundaries (exchange of painted eggs for Easter), blurrings (superficial, instrumental or forced character of the conversion to Islam; adoption of Bektashism as a crypto-Christianism) and mixings, (common celebration of Saint George's feasts, mixed marriages in some regions such as Lura), thus trying to make the religious boundaries blurred. But some of their colleagues went on creating the image of a single religious community, erasing the inner boundaries within this shared community. For that, either they referred to the common past adherence to the Pelasgian religion, the mythical Pelasgians being considered as the Albanians' ancestors', or they argued that the God of all monotheistic religion was the same.⁵⁵ This last idea has spread during the twentieth century (at least during the communist period) in large circles of the Albanian population, since it is very common today to hear in Albania 'we have the same God'.

Conclusion

Whereas in the pre-*Tanzimat* period the imperial centre simply 'sought to manipulate and regulate rather than to overcome the multi-religious nature of the empire', as Zeynep Turkeyilmaz points out,⁵⁶ the late Ottoman period was a period of confessionalisation, of strengthening of religious frontiers because of Ottoman and Western imperial policies and because of the missionary and reformist activities of religious actors, all these actors being facilitated by new communication tools (schools, press and printed matters). Violence also contributed to the strengthening of religious boundaries. In the western fringe of the Ottoman provinces in south-eastern Europe, in several places boycotts, profanations, tensions and even murders tended to exacerbate religious differences/oppositions.⁵⁷ However, as in the case of national identifications, exclusiveness is illusory (except at the very moment of violence). The religious field can be observed as a magnetic field with poles, more or less strong attracting individuals and groups. In periods of violence, the attraction of the strongest poles becomes so strong that all individuals and groups are aligned in their direction. With the decrease of violence, even if there are still some residual remnants, the attraction of the poles has been restored and groups and individuals may again have various orientations. So the strengthening of boundaries does not totally erase movements, contacts, interactions and ambiguities.

Such phenomena, as we have seen, have multiple dimensions: international, imperial, regional, local, family and individual. They are the result of renegotiations of relations between actors in a changing world, with a changing relationship between individuals and groups in the provincial society, between centres (political and religious) and the periphery, between the provincial society and foreign centres of power and, last but not least, between people and changing forms of political and religious authorities.

'Becoming' or 'going towards' takes on special meanings for each of the actors involved in this kind of move, with strong sociopolitical dimensions. However, for some actors it serves to make the boundaries more marked than before. The administration of groups which are perceived by some actors as 'being both' is more connected to a vision of these groups 'being neither, nor' or 'being imperfectly'. This last notion is of extensive use when dealing with religious pluralism in the late Ottoman Empire. We could say that it is a way to homogenise the main categories, but in fact it implies specific policies and special treatments of groups considered as 'being imperfectly' – as they appear in our sources – Muslims or Christians, and thus the implicit consideration of these groups. When we observe phenomena of contacts more from the bottom up, we see that moves such as 'practicing beyond' and 'doing as' are the result of daily contacts and are to be associated with dynamics of conscious and unconscious imitation, emulation and competition. They are associated both with the erasing and the strengthening of religious boundaries. It is particularly noteworthy that they are not only observable at the popular level but also among the elite, be it lay or religious. Among the elite at the beginning of the

twentieth century, new dynamics – above all materialism and nationalism – are to be seen, which, in certain cases, tend to promote an erasing of the religious boundaries and to clash with the common fusing of religion and imperial/national identifications.

The extreme violence of the 1912–1922 decade served in many of the post-imperial contexts to change the configuration and the nature of pluralism, but not as a passage from *millets* to nations, as it is often claimed, because the vision of a juxtaposition of *millets* does not correspond to the complex and dynamic religious plurality and pluralism of late Ottoman society.

Notes

- 1 Şerif Mardin, *Türkiye’de din ve siyaset* (Istanbul, 1991); Mümtazer Türköne, *Siyasi İdeoloji olarak islâmcılığın doğuşu* (Istanbul, 1991); İsmail Kara, *İslâmcıların Soyasi Görüşleri* (Istanbul, 1994); Selim Deringil, *The Well-Protected Domains: Ideology and the Legitimation of Power in the Ottoman Empire* (London, 1998); Ussama Makdisi, *The Culture of Sectarianism: Community, History, and Violence in Nineteenth-Century Ottoman Lebanon* (Berkeley, 2000); Kemal Karpat, *The Politicization of Islam: Reconstructing Identity, State, Faith, and Community in the Late Ottoman State* (Oxford, 2001); Itzhak Weismann, *Taste of Modernity: Sufism and Salafiyya in Late Ottoman Damascus* (Leiden, 2001). Hasan Kayali and A. Kevin Reinhart, ‘Studies in Late Ottoman Islam’, *Archivum Ottomanicum* 19 (2001): pp. 193–196; François Georgeon, *Abdülhamid II. Le sultan calife (1876–1909)* (Paris, 2003); Hamit Bozarslan, ‘Islam, laïcité et la question d’autorité, de l’Empire ottoman à la Turquie kémaliste’, *Archives de Sciences Sociales des Religions* 125 (2004): pp. 99–113; Elisabeth Özdalga, *Late Ottoman Society: The Intellectual Legacy* (London, 2005).
- 2 Alexandre Popovic, ‘A propos de la presse musulmane balkanique des origines à 1918’, in Christoph Herzog, Raoul Motika and Anja Pistor-Hatam (eds.), *Presse und Öffentlichkeit im Nahen Osten* (Heidelberg, 1995), pp. 115–120; Kristoph Neumann, ‘Book and Newspaper Printing in Turkey, 18th–20th century’, in Eva Hanebunt-Benz, Dagmar Glass and Geoffrey Roper (eds.), *Middle Eastern Languages and the Print Revolution: A Cross-Cultural Encounter* (Mainz, 2002), pp. 227–248; Johann Strauss, ‘Les livres et l’imprimerie à Istanbul (1800–1908)’, in Paul Dumont (ed.), *Turquie. Livres d’hier: livres d’aujourd’hui* (Strasbourg/Istanbul, 1992), pp. 5–24; Johann Strauss, ‘“Kütüp ve Resail-i Mevkute”: Printing and Publishing in a Multi-Ethnic Society’, in Özdalga, *Late Ottoman Society*, pp. 225–253.
- 3 Selçuk Akşin Somel, ‘Ottoman Islamic Education in the Balkans in the Nineteenth Century’, *Islamic Studies* 36/2–3 (1997): pp. 439–464; Selçuk Akşin Somel, *The Modernization of Public Education in the Ottoman Empire 1839–1908: Islamization, Autocracy and Discipline* (Leiden, 2001); Benjamin C. Fortna, *Imperial Classroom: Islam, the State, and Education in the Late Ottoman Empire* (Oxford, 2002); Emine Evered, *Empire and Education under the Ottomans: Politics, Reform and Resistance from the Tanzimat to the Young Turks* (London, 2012).
- 4 See, for example, James F. Clarke, *The Pen and the Sword* (Boulder, 1988); Barbara Reeves-Ellington, ‘A Vision of Mount Holyoke in the Ottoman Balkans: American Cultural Transfer, Bulgarian Nation-Building and Women’s Educational Reform, 1858–1870’, *Gender & History* 16/1 (2004): pp. 146–171; Ines A. Murzaku, *Catholicism, Culture, Conversions: The History of the Jesuits in Albania (1841–1946)* (Rome, 2006); Nathalie Clayer, *Aux origines du nationalisme albanais. La naissance d’une nation majoritairement musulmane en Europe* (Paris, 2007), pp. 180–188, 210–214, 311–315, 517–524.
- 5 For the considered regions of the Western Balkan, see for instance Anastasia Karakasidou, *Fields of Wheat, Hills of Blood: Passages to Nationhood in Greek Macedonia, 1870–1990* (Chicago, 1997); Clayer, *Aux origines*; Tchavdar Marinov, ‘We, the Macedonians: The Paths of Macedonian Supra-Nationalism (1878–1912)’, in Diana Mishkova (ed.), *We,*

- the People: Politics of National Peculiarity in Southeastern Europe (Budapest: CEU Press, 2009), pp. 77–108.
- 6 İpek Yosmaoğlu-Turner, *The Priest's Robe and the Rebel's Rifle: Communal Conflict and the Construction of National Identity in Ottoman Macedonia 1878–1908*, (unpublished PhD dissertation, Princeton, 2005); Hannes Grandits, Nathalie Clayer and Robert Pichler (eds.), *Conflicting Loyalties in the Balkans: The Great Powers, the Ottoman Empire and Nation-Building* (London, 2011); Isa Blumi, *Reinstating the Ottomans: Alternative Balkan Modernities, 1800–1912* (New York, 2011).
 - 7 Deringil, *Well-Protected Domains*; Benjamin Fortna, 'Islamic Morality in Late Ottoman "Secular" Schools', *International Journal of Middle East Studies* 32/3 (2000): pp. 369–393; Georgeon, *Abdülhamid II*, p. 292 sqq.
 - 8 M. Şükrü Haniöğlu, *Preparation for a Revolution: The Young Turks, 1902–1908* (Oxford, 2001), p. 289 sqq.; Şükrü Haniöğlu, 'Blueprints for a Future Society. Late Ottoman Materialists on Science, Religion and Art', in Elisabeth Özdalga (ed.), *Late Ottoman Society: The Intellectual Legacy* (London, 2005), pp. 28–116.
 - 9 Nathalie Clayer, 'Muslim Brotherhood Networks in South-Eastern Europe', in *European History Online (EGO)* (Mainz, 2011).
 - 10 See for example, Johann Strauss, 'Müdafaa'ya mukabele et Mukabeleye müdafaa: Une controverse islamochrétienne dans la presse d'Istanbul (1883)', in Christoph Herzog, Raoul Motika and Michael Ursinus (eds.), *Querelles privées et contestations publiques. Le rôle de la presse dans la formation de l'opinion publique au Proche Orient* (Istanbul, 2002), pp. 55–98; M. Sait Özervarlı, 'Alternative Approaches to Modernization in the Late Ottoman Period: İzmirli İsmail Hakkı's Religious Thought against Materialist Scientism', *International Journal of Middle Eastern Studies* 39 (2007): pp. 77–102.
 - 11 Nathalie Clayer, 'The Dimension of Confessionalisation in the Ottoman Balkans at the time of Nationalisms', in Grandits, Clayer and Pichler, *Conflicting Loyalties*, pp. 89–109.
 - 12 This is also the approach adopted by Zeynep Turkeyilmaz, *Anxieties of Conversion: Missionaries, State and Heterodox Communities in the Late Ottoman Empire* (unpublished doctoral dissertation, University of California, Los Angeles, 2009).
 - 13 Here I follow the method of Mathijs Pelkmans, 'Religious Crossings and Conversions on the Muslim-Christian Frontier in Georgia and Kyrgyzstan', *Anthropological Journal of European Cultures* 19/2 (2010): pp. 109–128.
 - 14 For the same processes concerning ethnicity, see Richard Jenkins, *Rethinking Ethnicity: Arguments and Explorations* (London, 2008²), 'Categorization and Power', p. 54 et seq.
 - 15 Clayer, *Aux origines*, pp. 62–89.
 - 16 In Macedonia, the case of the city of Salonica was particular. There conversions to Islam still occurred in the nineteenth century among peasants willing to integrate the urban society. See Meropi Anastassiadou, 'Des musulmans venus d'ailleurs: Les fils d'Abdullah dans la Salonique du XIXe siècle', *Anatolia Moderna* IX (2001): pp. 113–169.
 - 17 Bekir Grebene, *Balkanlarda tehdit ve gerilla. Grebene* (Istanbul, 1976).
 - 18 Nathalie Clayer, 'Quelques réflexions sur le phénomène de conversion à l'islam à travers le cas des catholiques albanais observé par une mission jésuite à la fin de l'époque ottomane', in Nathalie Clayer (ed.), *Religion et nation chez les Albanais, XIXe-XXe siècles* (Istanbul, 2003), pp. 173–195.
 - 19 Selim Deringil, *Conversion and Apostasy in the Late Ottoman Empire* (Cambridge, 2012).
 - 20 Bernard Lory, 'The Bulgarian-Macedonian Divergence: An Attempted Elucidation', in Raymond Detrez and Pieter Plas (eds.), *Developing Cultural Identity in the Balkans: Convergence vs. Divergence* (Brussels, 2005), pp. 165–193 (see p. 177).
 - 21 Clayer, 'Quelques réflexions'.
 - 22 Pelkmans, 'Religious Crossings'.
 - 23 See Clayer, 'Quelques réflexions' and Peter Bartl, *Die albanischen Muslime zur Zeit der nationalen Unabhängigkeitsbewegung (1878–1912)* (Wiesbaden, 1968), pp. 33–34 and 35.
 - 24 Turkeyilmaz, *Anxieties of Conversion*.

- 25 Ger Duijzings, *Religion and Politics of Identity in Kosovo* (London, 2000), pp. 86–105.
- 26 Turkeyilmaz, *Anxieties of Conversion*, pp. 26–27.
- 27 Ibid., pp. 29–30.
- 28 Ibid., pp. 112–115.
- 29 Ibid., pp. 114–115.
- 30 Duijzings, *Religion and Politics of Identity*, p. 99. The Ottoman authorities, on their side, at least in Anatolia, put such individuals into the category of *tanassur* (apostates), recognising their new Christian religion, but drafting them as Muslims (see Turkeyilmaz, *Anxieties of Conversion*, pp. 103–105; Deringil, *Conversion*, pp. 249–250).
- 31 Turkeyilmaz, *Anxieties of Conversion*, p. 116 sqq.
- 32 Selçuk Akşin Somel, 'The Problem of Crypto-Christians in Albania during the Hamidian Period', in Melek Delilbaşı (ed.), *Tarihte Güney-Doğu Avrupa, Balkanolojinin Dünü, Bugünü Ve Sorunlar/South East Europe in History: The Past, the Present and the Problems of Balkanology* (Ankara, 1999), pp. 117–125.
- 33 Ibid.; Stavro Skendi, *The Albanian National Awakening 1878–1912* (Princeton, 1967); Eleftheria I. Nikolaïdou, *Oi Kriptokristianoï tis Spathias (arkés 18ou–1912)* (Ioannina, 1974); Clayer, *Aux origines*, pp. 541–542.
- 34 Deringil, *Well-Protected Domains*, p. 75 sqq. Stavro Skendi, in his article 'Crypto-Christianity in the Balkan Area under the Ottomans' (*Slavic Review*, XXVI, New York, 1967, pp. 227–246), has the tendency to superimpose the map of crypto-Christianity and that of Bektashism in the Balkans, which cannot be done. There were no Bektashis in Skopska Crna Gora and in Shpat, for instance.
- 35 Hans-Lukas Kieser, 'Some Remarks on Alevi Responses to the Missionaries in Eastern Anatolia (19th–20th cc.)', in Eleanor H. Tejirian and Reeva Spector Simon (eds.), *Altruism and Imperialism: Western Cultural and Religious Missions to the Middle East* (New York, 2002), pp. 120–142; Yuri Stoyanov, 'On Some Parallels between Anatolian and Balkan Heterodox Islamic and Christian Traditions and the Problem of Their Coexistence and Interaction in the Ottoman Period', in Gilles Veinstein (ed.), *Syncretismes et hérésies dans l'Orient seldjoukide et ottoman (XIV^e–XVIII^e siècle)* (Louvain, 2005), pp. 75–118 (see pp. 94–97); and Bernard Heyberger and Rémy Madinier (eds.), *L'islam des marges. Mission Chrétienne et espaces périphériques du monde musulman XVIe–XXe siècle* (Paris, 2011); Turkeyilmaz, *Anxieties of Conversion*, p. 224 sqq.
- 36 Clayer, *Aux origines*, p. 475.
- 37 Ibid., p. 476 sqq.
- 38 Ibid., pp. 587–589.
- 39 Ibid., p. 492.
- 40 Even a sufi, with a multiple nakshibendi and bektashi affiliation, could become *seyhülislam* after the Young Turk revolution (Thierry Zarcone, 'Soufisme et Franc-Maçonnerie à la fin de l'Empire ottoman: l'exemple du *seyhülislâm* Mûsâ Kâzım Efendi [1850–1920]', *Anatolia Moderna / Yeni Anadolu II* [1991]: pp. 201–211).
- 41 Here one has to have in mind the fact that the order was officially banned and that many Bektashi *tekkes* were officially belonging to other orders, mainly the Nakshibendiyye and the Halvetiyye. In Gjirokaštër, in Southern Albania, alcohol was forbidden in the tekke of Ali Haqî Baba (Baba Rexhebi, *Misticizma Islame dhe Bektashizma* (New York, 1970), p. 299).
- 42 Esther Debus, *Sebilürreşâd: eine vergleichende Untersuchung zur islamischen Opposition der vor- und nachkemalistischen Ära* (Frankfurt am Main/Bern/New York/Paris, 1991); İsmail Kara, *Türkiye'de İslamcılık Düşüncesi* (3 vols., Istanbul, 1997); Kayalı and Reinhart, 'Studies in Late Ottoman Islam'; Özervarli, 'Alternative Approaches to Modernization'.
- 43 It is possible to see similar stands among the Orthodox Christians of this part of the Balkans. At the beginning of the twentieth century, the metropolit Spyridon Vlachos, for instance, was eager to found a seminar in Vella (Epirus) in order to better educate priests and to reinforce the practices and beliefs of the believers.

- 44 See, for example, Nathalie Clayer, 'Les missionnaires jésuites et leur adaptation à l'environnement musulman dans l'Albanie ottomane', in Tassos Anastassiadis (ed.), *Voisins Fragiles: Religions en contact et enjeux politiques. Balkans, Méditerranée orientale 1853–1939* (Athens, 2013), pp. 247–262.
- 45 Frederick William Hasluck, *Christianity and Islam under the Sultans* (2 vols., Oxford, 1929).
- 46 Dionigi Albera, 'Pèlerinages mixtes et sanctuaires 'ambigus' en Méditerranée', in Sylvia Chiffolleau and Anna Madœuf (eds.), *Les pèlerinages au Maghreb et au Moyen-Orient* (Damas, 2005), pp. 347–378.
- 47 Ibid.; see also Ger Duijzings, *Religion and Politics of Identity*, p. 63 sqq. ('Christian shrines and Muslim Pilgrims: Joint Pilgrimages and Ambiguous Sanctuaries').
- 48 Clayer, 'Les missionnaires jésuites'.
- 49 Ibid.
- 50 Strauss, 'Müdafaa'ya Mukabele'; Gabriel Goltz, *Eine christlich-islamische Kontroverse um Religion, Nation und Zivilisation. Die osmanisch-türkischen Periodika der Deutschen Orient-Mission und die Zeitung Balkan in Plovdiv 1908–1911* (Münster/Hamburg/London, 2002).
- 51 Clayer, *Aux origines*, pp. 214, 221–222, 522, 620–624. The Jesuits, who began to use printing elsewhere, began to publish in Shkodër a journal in 1891 (*The Sacred Heart Messenger*), as well as books and booklets.
- 52 Hanioglu, 'Blueprints for a future society' (in particular, see p. 69 and 74).
- 53 It was not the only narrative; other narratives, especially local narratives, generally fused Albanianism with religion (see Clayer, *Aux origines*).
- 54 Ibid., pp. 285–286, 329–330.
- 55 Ibid., pp. 446, 448, 465–468, 493–494, 503–504, 662–663.
- 56 Turkyilmaz, *Anxieties of Conversion*, p. 9.
- 57 Clayer, 'The Dimension of Confessionalisation'.

7 Language and power in the late Ottoman Empire

Johann Strauss

Introduction: language and power in multi-ethnic empires

Language and power are closely connected, and there is a correlation between political and linguistic dominance. Whether classical 'nation states' would impose one single language seems to have been a crucial, even vital question. France has been quite successful in this respect, as have modern Greece and Turkey. As far as empires are concerned, they used to meet with fierce resistance as soon as they attempted to apply the politics of the nation state and to impose a 'national' language. There are the 'dominant' languages: in such cases the need to become bilingual is only felt by the dominated language groups, who have to learn the dominant language, whereas the dominant speakers can use their language in all domains. However, a 'dominant' language may lose this status. In that case, the decline of a language may also reflect a decline of political power.

Beginning in the late eighteenth century, the number of linguistic communities increased steadily in these empires, mainly due to conquests and annexations of new territories: in the Habsburg Empire after the annexation of parts of Poland, the Bukovina, Dalmatia and Northern Italy, which were added to already incorporated groups like Czechs or Hungarians. Equally conspicuous was the expansion of the Russian state: the Crimea, territories of Poland, Finland, the Caucasus and Central Asia all added new linguistic communities to the already existing Ukrainians, Germans, Tatars and others. In the Ottoman Empire an increase of languages appeared due to the mass immigration of Caucasian peoples (Circassians, Ubykhs, Chechens etc.), especially after 1864. We do not have censuses indicating the mother tongues of that period, but it can be safely assumed that the Turkish-speaking population of the Ottoman Empire did not form the majority.¹ There were, the same as in the other empires, large territories (e.g., the Arab provinces) where the language of the ruling element was not spoken at all.

The language issue played an important role in all multi-ethnic empires during the age of nationalism. How did these states deal with this problem

in the nineteenth century? In terms of language policy, the Habsburg and the Russian Empires represent rather divergent cases: on the one hand, there is Austria-Hungary, with its multitude of languages enjoying an amazing degree of liberty, or even the status of official languages after the 'compromise' of 1867. On the other hand, there is the Russian Empire, where attempts at Russification or Russianisation were regularly made in various parts of the empire. For Russia and Austria-Hungary, these issues have been studied and are well known.² The Ottoman case has attracted less attention, although there are many similarities, especially as far as the position of the language of what was then called the 'ruling nation' (*millet-i hâkime*), Turkish, is concerned. There are various reasons for this state of affairs. Despite a huge amount of statistical data, there are no official statistics on language use from Ottoman times. Another reason is the apparently indifferent attitude of the authorities and the lack of clear official regulations concerning crucial issues like 'official langue', 'language of instruction in schools' etc. One has the impression that the authorities were relatively little concerned about these questions until the Young Turkish Revolution. Finally, the history of the Turkish language has so far never been viewed in its multicultural context, but instead mainly in terms of language reform or 'simplification', and this has absorbed nearly all efforts of researchers.³

The purpose of this chapter is to provide a brief overview of the language situation in the pre-*Tanzimat* era, and then to examine the position of the Turkish language in the multi-ethnic, multi-religious and multilingual Ottoman Empire during the last decades of its existence and the correlation between language and the empire's political decline. Studying language and power in a hierarchically structured state in the past is of interest, since the struggle over power in a multilingual setting such as the Ottoman Empire in many ways resembles the conflicts connected with multilingualism in contemporary states, including the successor states.

The language situation and the position of Turkish in pre-*Tanzimat* Turkey

As was the case with German in the Habsburg monarchy, Turkish was not spoken by the majority of the population of the empire. It was, however, the language of the rulers, the Ottoman sultans (who may have known other languages too), of central administration and of *defters* and *sicills* (with exceptions in the Arab provinces). Turkish was also the language of the army. For centuries, Christian boys recruited through the *devşirme* not only had to become Muslims but also had to show proficiency in Turkish. Turkish had also become dominant in the capital from the time of the conquest. Istanbul Turkish was considered a model for all speakers of the language. The idea of its superiority is clearly reflected in the traditional Karagöz plays, where the conspicuously defective pronunciation and command of the Turkish language

by provincials, and in particular non-Muslims, is an inexhaustible source of popular humour.

Otherwise, the position of the Turkish language varied in the various provinces of the Empire during the centuries. In Anatolia, the Ottoman heartlands, Turkish had become, with a few exceptions (Kurds, some sections of the Armenians, Greeks in cities like Izmir or Trabzon, smaller communities like the Laz, the Pontic Greeks and others), the native language of both Muslims and Christians.⁴ A Turkification process went on in some rural areas until the twentieth century.⁵ In the Western parts of the empire, according to Adjarian,⁶ Armenians were also usually monolingual speakers of Turkish, with the exception of settlements founded by immigrants from Eastern Anatolia like Bardizag (Bahçecik near Izmit).

In the Balkans, where the Turks had arrived several centuries later, Turkish was spoken as a native tongue only by Muslims, with the exception of the exceedingly few Christian Gagauz (most of whom emigrated to the Russian Empire in the early nineteenth century). It was also widely used in regions with mixed populations. The Turkish-speaking population of the Balkans was concentrated in the Eastern parts (Bulgaria, Thrace and Macedonia). In the Western Balkans, where there were no settled Turkish speaking groups, the local Muslims, such as Bosnians, Albanians, Turkoyaniots, *Valachades* and others, had retained their native languages after Islamicisation that occurred between the fifteenth and the seventeenth centuries. The same can be said regarding the Pomaks in Bulgaria and the Cretan Muslims.

Among the Balkan Muslims having other mother tongues and their own *literati*, Turkish was a prestigious language. Turkish terms and expressions were (and continue to be) common in all vernacular languages, even in territories without a settled Turkish speaking population such as the Danubian principalities⁷ or Crete. Songs in Ottoman Turkish were also popular among Greeks, Bulgars and others, and of course among the Turkish-speaking Armenians.⁸

Quite different was the influence of the Turkish language on the written languages. The ancient written languages of the non-Muslims, usually also the liturgical languages (Greek, Armenian and Slavonic), remained relatively little affected by Turkish influence. These 'high' varieties in a language situation characterised by diglossia were unfamiliar to the Muslims who may have spoken Greek or Slavic as mother tongues. In the so-called *aljamiado* poetry of Bosnian, Albanian or Greek Muslims, i.e. works written in the vernacular language in Arabic script, numerous Turkish elements occur. This literary production never gained great popularity, however, since most writers of the previously mentioned communities preferred to write in standard Ottoman Turkish or another language of the *elsine-i selâse*, Arabic and even Persian.

In the eyes of the local Muslims, the vernacular languages – even when these were their mother tongues – seem to have enjoyed little prestige. An interesting and rare example of the Muslims' attitude towards non-Muslim languages can be found in this work from the late eighteenth century, a rhymed Greek-Turkish

dictionary from Crete, where the interlocutor, in a fictitious dialogue in the introduction, challenges the usefulness of such a work itself:

*Dedim ol dil cem'e hiç şayan değil/
yazmağa hıfz etmeğe cesban değil
Bu Girid'in rumîsidir pek kaba /
hıl'at-ı nazme değil kat'â sezâ
Heb galatdır heb galîz elfaz heb /
ba'z-ı terkiyatı haric ez edeb
Ayıptır kim müslimîn /
ede taklid-ı zeban-ı kâfirîn⁹*

(I said 'This language is not worth being collected
it is not attractive for writing
this Cretan Greek language is very crude !
it is not at all worthy of the robe of poetry
it is all errors and coarse words
some of its expressions are indecent
it is a shame that Muslims
imitate the language of the infidels !')

This may reflect common views among Greek-speaking Cretan Muslims. But interestingly enough, despite these objections the dictionary was composed. Moreover, not all writers shared this view. Other Muslim writers using their vernacular dialect could be quite self-conscious, such as Mustafa Başeski (Bašeskija) from Sarajevo (*nom de plume* Şevkî; 1732–1809), who wrote that 'Bosnian' was, in some respects, even superior to Turkish.¹⁰ He defends his mother tongue, Bosnian, in a way reminiscent of Ali Sher Navāi (1441–1501).¹¹ However, Bašeskija wrote the chronicle of his native town in Turkish,¹² since this was, together with Arabic (occasionally even Persian), the principal written language used by the Muslim Bosnians.

In the Arab provinces, Arabic remained the dominant language after the Ottoman conquest, and no examples of linguistic mass-Turkification, as had happened in Anatolia, are known. But in Arab cities like Damascus or Baghdad in the late Ottoman period there were Muslim neighbourhoods where Turkish, Circassian or other languages were spoken. In most Arab provinces only the military and civil servants spoke Turkish. Such was also the case in the Yemen where a Bulgarian observer wrote in 1878 'that the Yemenis prefer their own language to Turkish. For this reason the Turks are compelled to use Arabic as official language in the Yemen.'¹³ At any rate, in the Ottoman Empire there was no policy of linguistic assimilation as had been attempted in other empires: in the Habsburg Empire, where Emperor Joseph II (1765–1790) tried to make compulsory the use of the German language (replacing Latin or local languages), and at several moments in the nineteenth century in the Russian Empire. According to an Arab observer, Jurji Zaydān (1861–1914), who published a

series of articles in the journal *al-Hilāl* after the Second Constitutional Period, the Turks, due to their feeling of superiority and their strong will to dominate, had just not been interested in the issue. They regarded the Turkish language as 'a symbol of rulership'.¹⁴

Turkish as an urban language

In both Anatolia and Rumelia the prestige of Turkish was certainly enhanced by the fact that it was an 'urban' language, since the Turkish presence was by then more dominant in cities than it was in rural areas. In many cities (such as Belgrade, Sarajevo, Monastir, Larissa and others), non-Muslims were not allowed to settle in the inner city prior to the *Tanzimat* era, and so they had to live in the *varoş*. The Bulgarian writer Ivan Vazov (1850–1921), referring to the 1850s, states that 'the spoken language in our cities was then half-Turkish'.¹⁵ Turkish was also widely spoken by the local Muslim population of the cities of Kurdistan if we are to believe Ziya Gökalp (1875–1924), a Turkish writer and sociologist who seems himself to have been a speaker of the Kurdish language.¹⁶ In the cities of the Arab provinces, the Turkish-speaking population was, as has been seen, limited to a few neighbourhoods.

The precarious situation of minority languages

In the pre-*Tanzimat* era and before the emergence of Balkan nationalism, some languages spoken in the Balkans seem to have been in the precarious position of 'dominated languages'. Their critical situation resembles that of languages in the Habsburg Empire, such as Czech before the national revival, or Hungarian before the *nyelvújítás*. The Bulgarian Bishop Sofronii of Vratsa (Vrachanskii; 1739–1813) writes in 1802 that he uses a great number of Turkish words in his works order to render his language more comprehensible for his Bulgarian compatriots who, 'living in a Turkish country, had become accustomed to speak Turkish and had forgotten their own language under the pressure of the infidels'.¹⁷ Vernacular languages were virtually drowned in Turkish terms. Such seems to have been the case, apart from Bulgarian, also for certain Albanian dialects.

During Ottoman rule one might, in Bloomfield's terms, qualify Turkish in some areas as the dominant 'upper language' and the vernacular language as the 'lower language' of the subject people.¹⁸ This is also illustrated by Doctor Christo Stambolski (1843–1932), who writes in his autobiography about the local *chorbaji* of Kazanlik, Gruyoglu, that he used to speak Turkish to his fellow countrymen in order to give more authority to his words.¹⁹

Speakers of languages that had not yet developed a literary standard (or that were about to create one) were compelled to use other 'dominant' languages when writing. For Albanians these were, for example, Ottoman Turkish (for Muslims), Greek (for the Orthodox), Italian or Latin (for Catholics). For the Bulgarians the dominant languages were Turkish (spoken) and Greek (both spoken

and written); Kurds had been traditionally accustomed to write in Arabic and Persian rather than in their native language,²⁰ and they later were accustomed to use increasingly Ottoman Turkish.

Prestige of Ottoman Turkish among non-Muslims

Literary Ottoman, the elaborate language of the chancery, was at the peak of its prestige among non-Muslims in the eighteenth century when certain Phanariots took considerable pains to study the language. There is Dimitrios Catardji's (ca. 1730–1807) famous complaint about the Phanariot youth preferring Turkish (and French!) poetry to the 'national' one.²¹ Turkish elements also occur quite frequently in Phanariot writing of that period.²² A knowledge of the Ottoman written language was likely to give immense power. Mastery of it offered good prospects of obtaining the office of Grand Dragoman – the highest public office open to non-Muslim subjects in the Ottoman Empire at that time – and the hospodarship of one of the Danubian principalities (Moldavia, Wallachia).

A 'privileged' language: Greek

The situation of Bulgarian was particularly precarious, since the pressure came not only from Turkish but also from Greek. Greek was in certain regions and at various periods a 'privileged' language in the Ottoman Empire. 'Privileged languages' enjoy a high status, usually for historical reasons, even if they are not spoken by the majority of the population of a given territory. Examples can be quoted for other empires. In the Russian Empire, Swedish inherited this position in Finland (Finnish was accepted besides Swedish in Finland as an official language only in 1863). In Austria-Hungary Italian remained the official language in Dalmatia, as it had been in Venetian times, although it was spoken by only some 5 per cent of the local population. In the Ottoman Empire, Greek enjoyed a similar position in the Danubian principalities (Moldavia and Wallachia) as long as they were reigned by Phanariots (until 1821), although the bulk of the population spoke Romanian.

Greek also held a privileged position in the large territories under the rule of Tepedeleneli Ali Pasha (1740–1822) in Greece and Albania, where it even served as an official language. Ali Pasha himself issued *firmans* in Greek, and his Albanian court poet, Haji Shehreti, composed a long poem in praise of his lord in that language.²³ From the late eighteenth century onwards attempts at linguistic assimilation of other linguistic communities were carried out in the same area by members of the Greek clergy. Among these were the Hellenising efforts of Saint Cosmas of Aetolia (executed in 1779), which seem to have affected even Muslims.²⁴ In the Bulgarian lands the use of the Greek language continued to remain dominant among the educated Bulgarians until the middle of the nineteenth century.

A similar policy allowed the Polonisation of Ukrainians and Lithuanians, the Germanisation of Latvians and Estonians, and the Tatarisation of Kazakhs during the first century after Russia's official transformation into an empire in 1721.²⁵

The language situation after the Tanzimat reforms

This situation was to change considerably in the nineteenth century as a result of the *Tanzimat* reforms, nationalism and demographic developments. In particular, the Turkish language found competitors in a variety of domains.

French as a competitor of Ottoman Turkish

One of the major changes that occurred during the Reform period was the introduction of a Western language, French, into the Ottoman language spectrum. It was to become a sort of semi-official language in the Ottoman Empire: it assumed some of the functions of Turkish and was even, in some respects, capable of replacing it.

Official publications, the official gazette and various laws and regulations (including the Ottoman Constitution – *Kanun-i Esasî*) were published simultaneously in French translations. The French translations were usually the work of Ottoman nationals employed in the various sections of the translation service, in particular the Translation Office (*Terceme Odası*). Sultan Mahmud II (1808–1839) had mainly public opinion in Europe in mind when he ordered the publication of the official paper, the *Takvim-i Vekayi'*, in French. This paper appeared under the title *Moniteur Ottoman*, in imitation of its French counterpart. But this French version was also to play an important role as a model for the presses of non-Muslims in the Ottoman Empire in their native languages. As the name of the Greek version of the *Takvim-i Vekayi'*, *Othōmanikos Mēnytōr* (*Οθωμανικός Μηνύτωρ*), shows, it visibly took its inspiration from French, not from Turkish. Characteristically, the Arabic press in the provinces also began in 1858 with a paper of which there was a French edition, the semi-official *Ḥadīqat al-Akhbār* (French title: *Hadikat-el-Akhbar. Journal de Syrie et Liban*).²⁶

Moreover, one can safely assume that some documents were originally drafted in that language. The Treaty of Paris (1856), for example, seems to have been translated from the French. The text of the Ottoman Constitution of 1876 was translated from its French version – and not from Ottoman Turkish – into the different languages of the non-Muslim minorities (Greek, Armenian, Bulgarian and Judaeo-Spanish).²⁷ This means that to some extent French replaced Turkish as an 'official' language for non-Muslims, whereas the Arabic translation of the *Kanun-ı esasî* published in the Arabic language paper *Al-Jawā'ib* stuck almost slavishly to the original Ottoman terminology.

French was the only Western language which was to become increasingly widespread among the educated of most linguistic communities. Thanks to the *Alliance Israélite Universelle* and its schools, French even became the first language of the educated among the Sephardic Jews, whose ethnic language was Spanish.

There was a flourishing French-language press in Istanbul and in provincial centres such as Salonika, Smyrna and Beirut. English, Italian and German papers were compelled to appear in French, or partially French, editions. In a way reminiscent of English in the contemporary world, French was almost omnipresent in the Ottoman lands.

French was also to replace Turkish in professional training in some domains. A first step was made under Sultan Mahmud II, who took the decision to introduce French as the language of instruction in the newly founded Medical School (*Mekteb-i tıbbiyye*; 1827), even though he considered this only as a provisional regulation.²⁸ This was to lead to a serious conflict in the 1860s between the partisans of French (the foreign and minoritarian teachers of the School) and Turkish (most of the Turkish teachers and students). Turkish was eventually introduced to replace French in both medical schools, the military and the newly founded civil one.²⁹ This was a first example of a 'Guerre des langues' in the Ottoman Empire.³⁰

In the Arab provinces, other languages continued to be used for the training of future physicians. At the medical school attached to the *Syrian Protestant College*, founded by the American missionaries in 1867, the language of instruction was initially Arabic, 'the common language of all nationalities in Syria', and became exclusively English after 1887.³¹ Candidates were supposed to know English and French or (!) Turkish.³² At the 'Faculté française de médecine de Beyrouth', created in 1883, the language of instruction was, of course, French.³³

Turkish regained importance in the early twentieth century with the foundation of the *Şam Mekteb-i tıbbiyye-i mülkiyye-i şahane* in Damascus in 1903.³⁴ The language of instruction of this institution was Turkish. Its students were required, among other things, to pass an examination for composition in Ottoman Turkish (*kitabet-i Osmaniyye*) and a test of proficiency in French. Books and journals in French and Turkish were acquired for the library.³⁵ As has been stressed by İhsanoğlu, this may explain the remarkable fact that after the end of Ottoman rule the language of the new faculty of medicine was to become Arabic and not French. The new French masters did not manage to impose French or English, as was mostly the case in the modern world.³⁶

Turkish and the educational system

For various reasons, the Ottoman Turks did not manage in the framework of the *Tanzimat* Reforms to establish a common schooling system that would attract all children, both Muslim and non-Muslim.

This was not due to language problems, the well-known intricacies of the Turkish language. Had that been the case, there would have been no obstacle to inclusion of the Turkish-speaking Karamanlis and Armenians. Schools were established, rather, according to religious community. The *hatt-ı şerif* of 1856 (*Islahat fermânı*) acknowledged the right of every officially recognised religious community (*millet*) to establish its own schools, provided that these be under state supervision.³⁷ The schools of the non-Muslim minorities, however, saw as

their main objective the propagation of their 'national' language, even among the Turkish-speaking coreligionists. Where Turkish was taught, many observers agree that the level was in general low, especially in Greek and Jewish schools.³⁸ Opposition and indifference towards the study of the Turkish language seem to have been widespread, if we are to believe the reactions to the introduction of Turkish into Greek schools³⁹ referred to by a Greek Ottoman scholar: 'What shall I do with Turkish? What is the use of it?'.⁴⁰

Although it was, in principle, possible,⁴¹ cases of non-Muslims attending *rüşdiyye* schools – first created first under Sultan Mahmud II where the language of instruction was Turkish – are exceedingly rare.⁴² These individuals were probably as rare as Muslims attending non-Muslim schools.⁴³ However, an integrative effect of these new schools cannot be denied, as far as their Muslim students are concerned. Without a doubt, Turkish instruction in these schools contributed to the higher degree of proficiency in Turkish among non-Turkish speaking populations (e.g., Bosnians, Cretans) that was observed during this period. Under Abdülhamid II (1876–1909) Turkish was increasingly taught in Albanian- and Kurdish-speaking areas. Remarkably enough, the public schools of the Arabic-speaking areas were not included in plans for Turkish language instruction.⁴⁴ But Turkish-speaking government officials had no problem finding suitable schools with Turkish instruction for their offspring in the major Arab cities. Ahmed Midhat Efendi (1844–1912), for example, wrote his award-winning Turkish primer *Hâce-i evvel* (1869) for the *Mekteb-i Sanayi* of Baghdad.

An intercommunal education was accomplished mainly at institutions where the language of instruction was *not* Turkish. The *Lycée* of Galatasaray (*Mekteb-i sultânî*), founded in 1868, initially attracted predominantly non-Muslim students and especially Bulgarians (until 1878). This resembles the situation at the medical school, where the majority of the graduates was non-Muslim (Armenian, Greek, Bulgarian, Christian Arab and others), like the teaching staff, as long as the language of instruction was French. Their numbers dwindled dramatically after the Turkification of the teaching in 1870.

An exceptional case was the School of Administration (*Mekteb-i mülkiyye-i şahane*), whose origins go back to 1859. It had the potential to become a melting pot. Although there were prestigious schools for non-Muslims where instruction was given in the 'national' language,⁴⁵ we find a number of Greeks and Armenians, both teachers and students, at this school where the language of instruction was Turkish. This remarkable school can even be termed a seedbed of the elite of several communities of the empire and the successor states, notably for Muslim Albanians⁴⁶ and Arabs, among these the Ottoman educationalist and influential Arab nationalist thinker Sâî' al- Ĥusrî (1882–1968).

To what extent did universities and colleges work as an integrative factor in the Ottoman empire?

In other empires, the power struggle between the dominant language and those of the subject populations was particularly conspicuous in the domain of

universities. In Imperial Russia, most of these were Russian-language institutions.⁴⁷ Those which were not, such as Warsaw University⁴⁸ or the colleges in the Baltic provinces, were eventually subjected to Russification.⁴⁹ In the Habsburg Empire, the German language had been dominating as language of instruction in the first half of the nineteenth century. But later on, the language continually lost ground: in 1871, Vienna declared Polish and Ruthenian (Ukrainian) official languages at the hitherto German-speaking university of Lemberg (L'viv).⁵⁰ Some ten years later the authorities had to accept the splitting of Prague University into a Czech and a German university.⁵¹ The Austrians had, however, managed to found the German-speaking university of Czernowitz [Chernovtsy] in the rather alien linguistic environment of the Bukovina (1875).⁵²

Compared with Russia and Austria-Hungary, the development of a university system started very late in the Ottoman Empire.⁵³ Despite several attempts since 1846, fully functioning universities with instruction in Turkish came into being only at the end of the nineteenth century with the *Darülfünun-ı şahane* in Istanbul. In fact, the Ottoman government had privileged the French system of the 'Grandes Ecoles': after the medical schools, a law school (*Mekteb-i Hukuk*) was founded in 1880 where both Turkish and French were used as languages of instruction. University-like colleges had already been founded earlier by foreigners: *Robert College* (predecessor of today's *Boğaziçi Üniversitesi*) in 1863 in Istanbul, and its counterpart, the *Syrian Protestant College* (today's *American University of Beirut*) in 1866 in Beirut. The *Université St. Joseph* was founded in the same city in 1875. In the first institution, whose objective was 'to give to its students, without distinction of race or religion, a thorough education equal in all respects to that obtained at a first-class American college' (Cyrus Hamlin), English was used as the principal language of instruction. In the second it was initially Arabic, and later also English. In the last case the main language of instruction was, of course, French.

In such a context, the choice of Turkish as language of instruction at the medical school founded in Damascus in 1903 (*vide supra*) was highly significant. Interestingly enough, at the *Al-Kulliyya al-Şalahiyya* (*Salahaddin-i Eyyubî Külliyye-i İslamiyyesi*), the university founded in Jerusalem during the very last years of Ottoman rule (1915), teaching was in Arabic.⁵⁴

The scientific language, learned societies and academies

Scientific language is also interesting as it may reflect to some extent power relations. In the Russian Empire, a considerable part of scientific publications was published, for historical reasons, in languages other than Russian, i.e. German or French.⁵⁵ In the Habsburg Empire, German, a prestigious scientific language, kept its dominance for a long time. Many renowned scholars of different ethnic backgrounds, such as the Czech historian Konstantin Jireček (1854–1918) or the Hungarian orientalist Arminius Vámbéry (1832–1913), published their works not only in their native languages but also in German.

In the Ottoman Empire, the scientific language for Muslims had been traditionally Arabic (In the early eighteenth century, Hoca Es'ad from Janina still translated Aristotle into Arabic, not into Turkish) or Ottoman Turkish. But this applied to the traditional sciences (*ulûm*). For the new, Western type of sciences, French had become the leading language. It offered the basic orientation during the *Tanzimat* era. Scientific terms were usually coined after French models. Ottoman Turkish (in Arabic script) was never used in scholarly publications intended for non-Muslims. After the cholera epidemic that broke out in Istanbul in 1847 the Ottoman government decided to publish a treatise on cholera (*Kolera Risalesi*) by the *hekimbaşı* Ismail Efendi (later Pasha; 1807–1880), and it decided, wisely enough, to publish the text simultaneously in several languages and alphabets: Turkish, Greek, Armenian and Bulgarian.⁵⁶ Scholarly or scientific journals in Turkish which addressed a Turkish and Muslim readership were usually short-lived,⁵⁷ unlike those published by other communities. For example, that of the 'Greek Literary Society' (*Syllogos*) was the most prestigious publication of that kind, with an international reputation. It appeared in the 'national' language, i.e. Greek.

There was no Ottoman Academy of Sciences publishing its proceedings as existed in the other empires. In the Russian Empire, an academy had already been founded by Peter the Great in 1724 as *The Saint Petersburg Academy of Sciences*.⁵⁸ A separate organisation, called the *Russian Academy*, was created in 1783 to work on the study of the Russian language. It was, among other things, engaged in compiling the six-volume *Academic Dictionary of the Russian Language* (1789–1794).⁵⁹ A 'Kaiserliche Akademie der Wissenschaften in Wien' was established in Vienna in 1847. Its first president was Joseph von Hammer-Purgstall (1774–1856), and many outstanding figures of different nationalities became its members (Palacký, Miklosich, etc.). The Hungarians⁶⁰ and the Poles even had their own academies. The *Polska Akademia Umiejętności* ('Polish Academy of Learning'; 1872) in Cracow, though formally limited to the Austrian part of the Polish territories, even served as a learned and cultural society for the entire Polish nation. Its activities transcended the boundaries of the Austrian part, gathering scholars from all of Poland and many other countries as well. In this respect this academy had much in common with the 'Greek Literary Society in Constantinople' (*Ho en Kōnstantinoupolei Hellēnikos Philologikos Syllogos*), which had no equivalent in the Kingdom of Greece.

The attempt to create an Ottoman Academy, *Encümen-i Daniş* (referred to in French as 'Académie ottomane') in 1851, despite its promising beginnings and its ambitious projects, was too short-lived to contribute to a strengthening of the position of the Turkish language. It had provided the participation of non-Muslim and non-Turkish scholars, such as the eminent Egyptian reformist Rifā'a al-Ṭaḥṭāwī, one of the Academy's corresponding members (*azâ-ı hariciye*). Although the *Encümen-i Daniş* led to the first Ottoman grammar written by natives,⁶¹ it did not provide, as did its French or Russian counterparts, a dictionary of the language. However a huge French-Turkish dictionary had been published by one of its corresponding Greek members, Alexandre Handjéri

(1760–1854) in Moscow!⁶² The regulations concerning the language skills of its members were extremely generous: even persons unable to write in Turkish were admitted as full members.⁶³ Corresponding members could be entirely ignorant of the language.⁶⁴

The first scientific journals in Ottoman Turkish were published by other learned societies. Münif Pasha's *Mecmua-i fûnun* (founded in 1862) of the *Cem'iyyet-i ilmiyye-i osmaniyye* was popular scientific. Hoca Tahsin's more ambitious *Mecmua-i ulûm* (1879) of the *Cem'iyyet-i ilmiyye* was too short lived (only seven issues appeared during 1879–1880) to compete with the journal of the *Sylogos* (published between 1861 and 1922), from which it may have taken some of its inspiration. Even an Arab-language publication like *Al-Mashriq* ('The East'), founded in Beirut in 1898 by the Jesuits and published under the editorship of Louis Cheikho of Mardin (1859–1927),⁶⁵ had not only a considerably higher scholarly level but also a much longer duration. Its publication continues up to the present day. A perusal of both the journal of the *Sylogos* and *Al-Mashriq* reveals, however, that they were hardly ever interested in Turkish-language issues.

It is difficult to ascertain to what extent the previously mentioned Turkish publications appealed to non-Muslims, even if a few non-Muslim subscribers (Ottoman Greek diplomats) are known and non-Muslim authors such as the Greeks Alexander Constantinides and Alexander Caratheodory, the Bulgarian Aleko Pasha, the Armenian Hovhannes Sakezian ['Sakızlı Ohannes'] and others were involved as contributors.

Turkish – an 'official language'?

One of the major questions concerning the Turkish language during the last decades of the Ottoman Empire is whether it could be considered as the 'official language' of the state.

Typically an official language is a language approved by the government of a country and used in the courts, parliament and administration. It is taught in schools and used in legal and official documents. In the Russian Empire, the position of Russian was formulated in Article 3 of the Constitution or 'Fundamental Laws' (*Osnovnye gosudarstvennye zakony Rossijskoj imperij*) of 1906 (the first and last one) as follows: 'The Russian language is the common language of the state (*jazyk obščegosudarstvennij*), and its use is compulsory in the army, in the navy and in all state and public institutions. The use of local (regional) languages and dialects in state and public institutions are determined by special legislation.' As a matter of fact the Russian language had been increasingly imposed even in areas where 'privileged' languages were used, usually those of old 'ruling nations', such as German in the Baltic provinces or Polish in the Western parts of the Empire.⁶⁶ But the authorities were more reluctant to intervene in the same way in areas with a Muslim population.

In Austria-Hungary the official languages were German and Hungarian (for the Hungarian part). In the Austrian part there were the '*landesübliche Sprachen*':

Czech, Slovak, Polish, Italian, Slovene, Croatian, Serbian, Rumanian and Ukrainian, widely used also in administration. In the army, German was the common language of command (*Kommandosprache*), and every soldier had to learn the hundred most important commands by heart. But German was never declared the official language of the state, although it was considered the main medium of official communication. On a local level, German often competed with other languages with high cultural status, such as Italian in Trieste, for example.

Turkish is first mentioned as the 'official language' of the Ottoman empire in the 1876 Constitution (Article 18), where it is said that admission to public office requires the knowledge of Turkish, 'the official language of the State' (*devletin lisan-ı resmîsi*). At that time Turkish had already lost its monopoly as the sole language of administration.⁶⁷ After the reform of the *vilayets* in the 1860s, most of the official provincial papers (*vilâyet gazeteleri*) were also published in the vernacular languages – and/or in the alphabets of the non-Muslim population.⁶⁸

<i>Name of paper</i>	<i>languages</i>	
Tuna (Ruschuk)	Turkish	Bulgarian
Prizren	Turkish	Serbian
Bosna (Sarajevo)	Turkish	Serbian
Yanya (Janina)	Turkish	Greek
Selânik (Salonika)	Turkish	Greek, Bulgarian, Judaeo-Spanish
Hüdavendigâr (Bursa)	Turkish	Armeno-Turkish ⁶⁹
Sivas	Turkish	Armeno-Turkish
Zevra (Baghdad)	Turkish	Arabic
Sanaa	Turkish	Arabic

Eventually, most *vilayet gazeteleri* of the Arab provinces (Aleppo, Beirut, *Suriye*, Basra and Mossul) were also published in an Arabic version.

Even a few official yearbooks (*salname*) are known to have been published in bilingual editions:

<i>Cezayir-i Bahr-ı sefîd</i> (Islands of the Aegean Archipelago)	Turkish	Greek
<i>Suriye</i> (Syria)	Turkish	Arabic

This may give the impression that minority languages enjoyed extensive rights as in the Austrian part of the Habsburg Monarchy, whereas we know that in the Hungarian part the minorities were increasingly subject to Magyarisation after 1867. But in the late Ottoman Empire the situation was in fact more complex. The languages listed earlier were languages considered as 'Christian',

written in a 'Christian' script. On the other hand, there were no such possibilities for Muslim peoples, and no intentions to publish *vilayet gazeteleri* or *salnames* in languages like Albanian or Kurdish.⁷⁰ The exception was, of course, Arabic, although it was used by Muslims and Christians alike. Its privileged position can be explained by the fact that it was language that enjoyed enormous prestige with Muslims as the language of the Koran and of traditional learning. It is said that *Abdülhamid II* even thought of introducing it as an 'official' language of state for a moment.

The Ottoman government, like some intellectuals, made an important distinction between 'Islamic languages' and the rest. It is for that reason that we have no provincial papers in Kurdish or Albanian, since they were regarded as 'Islamic languages' (*elsine-i islamiyye*)⁷¹ – even though this was not exactly the case for the latter one. Moreover, for an Islamic language, the use of the Arabic script would have been *de rigueur*.⁷² Periodicals in Albanian published in another script than the Arabic one were tolerated for Christians, such as the monthly 'The Messenger of the Sacred Heart' [*Elçija i Zemers t'Jezu Krishtit*] published by the Jesuits in Shkodra. Muslim writers had to publish their literary works in the new script abroad. The first Kurdish paper (*Kurdistan*) had to be published in Cairo in 1898.

In one of the most sensitive domains, all three Empires corresponded: Turkish was, like Russian in the Russian Empire and German in Austria-Hungary, the language of the army. But in the Ottoman Empire, it did not become a unifying factor, since a large portion of the population, the non-Muslims (except for doctors) were not admitted to military service. It seems as if the Muslim Kurds and Albanians did not seek their own 'national' armies as had happened in Hungary, for example. But problems are known with Muslim Arab soldiers, especially during World War I.

The judiciary represents a sensitive domain for evaluating social relations between linguistically dominant groups and non-dominant groups in multi-ethnic societies. But up to now Turkish as the language of the courts remains a little explored topic. Traditionally Ottoman kadis had to use interpreters (*kadı tercümanı*) if parties were involved who were ignorant of the Turkish language. The problem was less significant than it was in Russia and Austria-Hungary because of the *millet* system and foreign jurisdiction. The situation probably varied according to regions. The official year books (*salname*) show that there were interpreters and lawyers (*dâva vekilleri*) in every province trained in Ottoman law. In the Arab provinces Arabic seems to have been the usual language at the courts, since after the coup of 1909 there were complaints about Turkification in mixed *vilayets* such as Aleppo. It would appear that there were then attempts to impose Turkish in schools and in the courts of justice.⁷³

Turkish as the language spoken in the parliament

Turkish as the language spoken in the parliament made its appearance only for a very short time after 1876. It could not play any role between 1878 and 1908, which was known as the period of despotism (*istibdad*). But the debates in the

first assembly in 1876–77, where the Turks as an ethnic group were a minority,⁷⁴ show the kind of difficulties that exist in polyglot empires with deputies of the most diverse linguistic backgrounds.

Austria granted every deputy the right to speak in his mother tongue⁷⁵ in the Vienna Parliament, where ten languages were admitted.⁷⁶ But those who wanted to be understood preferred German, and there were no interpreters. As to the Ottoman Parliament of 1876, *The Times* counted, somewhat exaggerating, 14 different mother tongues of the deputies,⁷⁷ from Turkish to the ‘corrupted Spanish which is the language current among the Jews of the country’. According to the Constitution (Article 68), deputies had to know Turkish and the debates of the Chambers should be held in Turkish (Article 57). But as a matter of fact many deputies, both Muslims and non-Muslims, had a rather limited knowledge of it. They used to begin their speeches with apologies for not speaking the language correctly, such as the Christian deputy Nikolaos Tzanaka Efendi from Janina (*‘Türkçemin noksan olduğunu itirafla affınızı rica ederim’*⁷⁸), or the Muslim deputy from Syria Haji Huseyn Efendi [Beyhum] (*‘Bendeniz lâyükile türkçe söyleyemiyorsam da özrüm makbuldur.’*⁷⁹). Among the non-Muslim members of parliament, the Armenians had the best knowledge of Ottoman Turkish.⁸⁰

Some deputies were able to speak but not write the language, such as Sava Bilić, a deputy from Bosnia who spoke Turkish but who was not literate in this language,⁸¹ or Stevan Grabovac, who ‘did not write in Turkish’.⁸² On the other hand, there were the Jewish deputies from Bosnia, Yaver Salamon Barukh (Barukh Efendi Yaveroff), the manager of the Government Printing Office in Sarajevo, who had attended the *rüşdiye* school of this city and acquired an excellent knowledge of the Ottoman language,⁸³ and also Salomon Efendi Shalom, the head of the health service in Bosnia.

This situation led to the famous discussion between Ahmed Vefik Pasha (1823–1891), the speaker of the house, and Nicola Naqqāsh Efendi (1824–1894), who had protested against the stipulation that members of municipal councils had to know Turkish: ‘This will limit the freedom of some people. For example, a large number of people in Beirut do not know Turkish’. Whereupon Ahmed Vefik Pasha responded: ‘In four years, the intelligent should learn Turkish (*aklı olan dört sene içinde Türke öğrenir*)’. Another deputy then made the remark: ‘What harm is there in the lack of knowing Turkish?’ and heard Ahmed Vefik Pasha’s response: ‘This hinders the unity [of the Empire]. God willing they accept my advice and learn Turkish.’⁸⁴

Needless to say, even in the Second Constitutional period after 1908 there were still deputies with a poor knowledge of Turkish. According to an observer, the deputies from the Yemen, in particular, did not know the language well.⁸⁵ But even those who knew the language perfectly well were staunch defenders of the right to use the mother tongue, and Krikor Zohrab (1861–1915), a brilliant speaker of the Turkish language, said in one debate: ‘To propagate the official language does not mean that e.g. the Armenians should forget the Armenian language and not speak it at all, or Greeks forget the Greek language and not

speak it at all. On the other hand, this does not mean either that we should not speak Turkish at all or forget it.’⁸⁶

Turkish in the age of nationalism: the decline of Turkish as a spoken language

Like German in the Habsburg Empire, Turkish also lost ground as a spoken language in the nineteenth century. As far as non-Muslims are concerned, it was a result of what has been called the ‘re-Hellenization’⁸⁷ and ‘re-Armenization’⁸⁸ of the Turkish-speaking Greek Orthodox and Armenians. This effort was successful especially among the educated. Ethnic Karamanlis became then champions of Hellenism. The success was due in the first place to the progress of the education system. The ‘National Revival’ of the different communities (Greeks, Armenians, Bulgarians and others) was based to a great extent on the progress made in this domain.

Among the minority languages, Greek made spectacular progress in some major cities. It visibly became the dominant language in the polyglot city of Smyrna (Izmir) with its Greek, Armenian, Turkish, Jewish and Levantine communities. All of them were also more or less proficient in Greek. The situation is graphically described by Hayganush Mark (1883–1966), an Armenian female writer who visited the city in 1907: ‘The common language of this city was Greek. The Turkish peasants spoke Greek fluently. They sold eggs in the street crying “*Avghé, avghá*”. When you asked the price in Turkish to a street-seller, he did not answer and went on with his horse.’ The impact of Greek was even felt in the Armenian language: ‘The local Armenians spoke a sort of Armenian mixed with Greek, if one can call it Armenian at all.’⁸⁹ In cities like Istanbul or Izmir, Greek rather than Turkish was also the first local language learnt by European residents.

A similar situation may have existed in the city of Van, where Vartkes Serengülian (1871–1915), the deputy of Erzurum in the Ottoman Parliament after 1908, says in a speech that the Turks in Van know to speak Armenian due to their frequent dealings with the Armenians.⁹⁰

The decline of Turkish in the cities of the periphery

In the major urban settlements of European Turkey in the late nineteenth century Turkish was rarely the dominant language. From the five provincial capitals that had remained after 1878 (*Edirne, Salonika, Monastir, Janina, Shkodra*), only Edirne was a predominantly Turkish-speaking city. Turkish must also have played a significant role in *Monastir* (Bitola), where nearly half of the population consisted of Turkish soldiers. This city had, however, a particularly composite population (Turkish, Albanian, Bulgarian, Greek, Vlach and Jewish).⁹¹ In Ottoman Salonika, the population was composed up to 50 per cent by Spanish-speaking Sephardic Jews, the rest mainly of Greeks and Turks. As an English traveller wrote in 1906: ‘Everybody speaks Greek and

most know Turkish.⁹² One could also add French, the principal language of the local press.

In Ottoman *Üsküb* (Skopje), by then capital of the province of Kosovo (*Kosova*), Albanian influences became more and more dominant during the end of Ottoman rule; a situation reminiscent of Austria-Hungary in the nineteenth century, where many cities in areas with mixed populations gradually lost their German character.⁹³ As a matter of fact, the Albanians had become the most privileged non-Turks in the Ottoman Balkans. The great Turkish poet Yahya Kemal (1884–1958), a native of the town, describes it as follows: ‘Just as the people of Istanbul yearned for the *alafranga* way of life, the people of *Üsküb* began to yearn for the Albanian life style. Apart from the political reputation enjoyed by these people of the mountains, their costume, their weapons and their dialect were also attractive.’⁹⁴ In *Scutari* (Shkodra), capital of a purely Albanian *vilâyet*, the predominance of the Albanian language was even more conspicuous. According to a Turkish military officer, ‘It was impossible to find people speaking Turkish in Shkodra, apart from government officials’, and ‘the Catholic Albanians spoke the Italian language on the same level as Albanian’.⁹⁵ In Ottoman *Janina* (Ioannina; Turkish *Yanya*), the dominant language was Greek, even among Muslims (*vide infra*).

In some cities of the Arab provinces, the situation was even worse. Whereas in places like Shkodra Ottoman Turkish was cultivated by the educated,⁹⁶ it seemed to be (unsurprisingly) totally absent in Beirut. Yusuf Akçura (1876–1935), a Turkish intellectual of Tatar origin, wrote down the following impressions in 1913: ‘In Beirut, no Turkish books or newspapers are read. No public lectures are given in Turkish. No plays are staged in Turkish. No cinema shows films on Turkish life. Turkish music is totally unknown. Nobody knows that there is a Turkish architecture. What else shall I tell you? Nothing, really nothing is done to present Turkish culture to the population and to arouse or strengthen love for it.’⁹⁷ Paradoxically, in all the major port cities – Salonika, Izmir and Beirut – the Turkish language seems to have been in a rather inferior, even precarious position.

The declining prestige of the Turkish language

The prestige of Turkish was also declining in the second half of the nineteenth century. This decline was particularly conspicuous among Christian peoples who were about to gain independence, such as the Bulgarians. For them Turkish was no longer the prestigious language of the mighty Ottoman Empire, but primarily the language of their secular enemy.⁹⁸ In literary works there began what has been called the ‘folklorisation’ of Turkish terms, which continues even today. In this style, Turkish words and expressions are used to make characters’ language seem folksy or even comical.

Purism became a characteristic feature of the written languages of the minorities,⁹⁹ which were purified from their ‘foreign’, i.e. mainly Turkish elements. The Armenian paper *Masis* in Istanbul began to publish daily lists of new words

proposed to replace the Turkish ones, a method that presaged those used during the Turkish *Dil Devrimi* some hundred years later. Various ways were found to replace Turkish terms: Greeks and Armenians had recourse to their classical variants, i.e. classical Greek and *krapar* (Classical Armenian) to coin the respective equivalents. Bulgarian, a newly developing literary language, adopted technical terms from Russian (including numerous German words), and Judaeo-Spanish found a convenient way to replace commonly used Turkish terms by borrowing terms from French, the new Western language introduced by the *Alliance Israélite Universelle*.

The newly emerging Albanian language was also purist. In the printed editions of *aljamiado* texts like *Erveyye* (*Erveheja*; published in Bucharest in 1888) by Muhamed Çami, the editors did their best to eliminate and to replace the Turkish terms. Even in the modern Arabic language one can perceive an increasing divergence as far as terminology is concerned. Whereas the Arabic translation of the *Kanun-ı esası* of 1876 (*Al-Qānūn al-asāsī*) adhered almost slavishly to the (Arabic) terminology of the Ottoman text,¹⁰⁰ new terms independent from Ottoman Turkish were increasingly introduced in the following period. In 1908 the constitution was already commonly referred to by the Ottoman Arabs as *Al-Dustūr*.

Turkish as a medium of literary expression for non-Turkish Muslims in the late nineteenth century and the emergence of new literary languages among the non-Turkish Muslims

If Turkish lost ground among nationalist-minded non-Muslims and even Muslims, it gained importance as a medium of literary expression with another category of non-Turkish Muslims: those who belonged to the most threatened communities, particularly Greek-speaking Muslim intellectuals. The Muslim Press in Crete, for example, was almost exclusively published in the Turkish language.¹⁰¹ Among these Muslims we find Bekir Fikri of Grebena in Western Macedonia¹⁰² (1882–1914), whose mother tongue was Greek (ethnically he belonged to the *Valachades*) and who wrote patriotic works in Turkish.¹⁰³ Another example is the Cretan Ahmed Cevad [Emre; 1876–1961], who only spoke Greek until the age of seven, left numerous translations into Turkish, and was in Republican Turkey to become one of the most fervent supporters of language reform. The Turkish language also continued to enjoy considerable prestige in Bosnia-Herzegovina after the Austrian occupation. Muhammed Enveri Kadić (1855–1931), a former student at the *rişdiye* of Sarajevo and an employee of the *vilayet* administration, continued to use it for scholarly purposes until the 1930s. The Bosnian Muhammed (Mehmed) Tahir (1855–1903), who settled in Istanbul, became the foremost translator from German into Turkish in the Ottoman Empire.

Despite the hostile attitudes of the authorities (*vide supra*), we can witness from the last quarter of the nineteenth century onwards the emergence of new

literary languages among Muslims, i.e. Albanian, Kurdish and Circassian.¹⁰⁴ This emancipation was a gradual process: the Kurdish press, for example, was at its beginnings bilingual, with only a few articles in Kurdish. Some Kurdish writers never wrote in Kurdish (Abdullah Cevdet); others have left only a few articles in Kurdish (Said-i Nursi, *alias* Said-i Kürdi). Among the Albanians there is the paradoxical figure of Şemseddin Sami (Samy-Bey Frachery; 1850–1904) who was both an Albanian patriot and – in linguistic terms – a Turkist. He authored an Albanian play in Turkish called ‘*Besa* or The Given Word of Trust’ (*Besa yahud Ahde vefa*, 1874), and also the first Turkish novel – which was at the same time the first novel written by an Albanian (*Taaşuk-ı Tal’at ve Fitnat*, 1872). But he had to publish his Albanian works anonymously abroad. His brother Naim Bey (1846–1900), acclaimed as a ‘National Poet’ by the Albanians, also translated the first part of the *Iliad* – into Turkish. Another Albanian intellectual, Süreyya Bey of Vlora (Avlonyalı Süreyya; 1860–1940), published a Turkish journal in his youth (*Zerrât*) and a comprehensive work of several hundred pages on early Islam, *Fetret-i İslam*, in the same language. He still wrote down his memoirs in the early 1920s in Turkish.¹⁰⁵ Ahmed Müfid Bey Libohova (1876–1927), deputy at the Ottoman Parliament in 1908, wrote a biography of Ali Pasha of Janina in Turkish, which was based, however, mainly on Greek sources.¹⁰⁶ The last two writers both played an important role in the political life of independent Albania.

Ottoman Turkish as a model?

It is well known that ‘dominant’ languages often exert considerable influence on the written or literary languages of the dominated groups on all levels, from terminology to style. This has been the case with a number of languages spoken in the Habsburg Empire, which developed under a strong German influence. It is especially the case of Hungarian and Czech. In these languages many terms and idioms were coined according to German models, which gives them a ‘Mitteleuropean’ feel. A similar impact from the Russian language can be detected in many languages of the former Soviet Union.

The question is to what extent Ottoman Turkish was able to serve as a model for other written languages used in this empire. In this context it has to be stated in the first place that literary contacts between the communities were little developed.¹⁰⁷ In particular, very few works by Ottoman writers or poets were known in Greek, Armenian, Bulgarian, Judaeo-Spanish or even Arabic versions until the Young Turkish Revolution. The works of Şinasi, Ziya Pasha, Namık Kemal and other representatives of *Tanzimat* literature were translated into minority languages only exceptionally. Surprisingly enough, even Karamanli or Armeno-Turkish versions of the works of contemporary Ottoman writers are extremely rare (Ahmed Midhat Efendi is a notable exception). This may have been due to the flowery style that developed in Ottoman literature, the so-called *inşa*-style, which made it little palatable for people with different literary traditions – even Karamanlis and Turkophone Armenian writers without training in Arabic and

Persian. Ottoman poetry especially represented a challenge that hardly ever tempted a non-Muslim translator.¹⁰⁸ It seems as if the segregation that characterised Ottoman society also worked in the literary field.

A study of the translations of the *Kanun-ı esası* is highly revealing in this respect. The Arabic and Persian translations follow the Ottoman text very closely. The Greek, Armenian, Bulgarian and Judaeo-Spanish versions use very few terms borrowed from Ottoman Turkish or coined according to an Ottoman model. Unsurprisingly, these 'Western-style' versions of the *Kanun-ı esası* were translated from the French version rather than from Ottoman Turkish, though the Armenian and perhaps the Judaeo-Spanish versions may have been checked according to the original Ottoman text. In some instances Greek may have had its share too. For all of these languages, French was the model and the source of the terminology, whether by direct borrowing or by way of *calque*.

The different versions of the *Kanun-ı esası* therefore also reflect religious, ideological and other divisions that existed in this empire. In particular, there is a sharp dividing line between those communities using the same alphabet and/or sharing the same religion and those that did not. Ottoman Turkish, the composite language of the ruling element, did not have a unifying effect. It was relatively successful in the case of Arabic as far as terminology was concerned, but it had little impact on the written and literary languages of the non-Muslim (or rather non-Turkophone) population. In no case was it able to contribute in a significant way to the enrichment of literary expression.

Ottoman Jacobinism?

In principle it would have been desirable for Ottoman Turkish to become the common language of all the Muslims of the empire. After 1908 the objective was to create an Ottoman nation through a fusion of its different peoples. In this context the development and dissemination of the Turkish language should have played an important role. The objective of associations like the *Türk Derneği* was, among other things, to transform the Ottoman language into the national language spoken by all Ottomans.¹⁰⁹

Ideas can also be found with certain Ottoman intellectuals like Namık Kemal (1840–1888), or later with Ziya Gökalp (1876–1924)¹¹⁰, that represent a sort of Ottoman linguistic 'Jacobinism'. For example, Namık Kemal, the great poet who lived for a time in France, writes: 'It is, of course, impossible to disseminate our language among Greeks and Bulgarians. But it is quite possible to disseminate it among the Albanians and the Laz, *i.e.*, among Muslims. If schools are founded, directed in an appropriate way [. . .] the Laz and the Albanian language shall be completely forgotten in twenty years. A language without books resembles a tree without roots. It is incapable to resist the changes of time.'¹¹¹

After 1908, Ziya Gökalp was even more outspoken in this respect: 'The individuals who constitute the Nation are not those who speak the national language today. Those who will speak it tomorrow, are part of them. For example

the Pomaks and the Cretan Muslims, although they speak Bulgarian and Greek today, will learn Turkish under the influence of Islam and shall abandon the language they use today. In this case, the individuals who form the Nation are not only defined by their language, but also by their religion.’¹¹²

Conclusion

Like German in the Habsburg Monarchy, Turkish, the language of the ruling element in the Ottoman Empire, continually lost ground in the nineteenth century. This happened in different domains and geographical areas, and it was due to various factors.

The introduction of French as a semi-official language replaced Turkish in some respects in administrative use and important sections of the educational system (Medical School, *Lycée* of Galatasaray). This position of French remained unchallenged until the Turkification of the medical schools in Istanbul (1870) and the foundation of a Turkish-language medical school in Damascus (1903). French also became the model for most of the literary languages of non-Muslims.

Ottoman Turkish had little impact on the written and literary languages of the non-Muslim (and non-Turkophone) population and was unable to contribute in a significant way to their enrichment. Even newly emerging languages of Muslims based on the vernacular languages, such as Albanian,¹¹³ eventually followed Western models and avoided the composite lexicon and flowery style of Ottoman Turkish. Written languages, both old and new, were purged of their ‘foreign’ elements. Technical terms were coined from the classical languages or adopted from foreign languages (French, Russian) and *not* from Ottoman Turkish.

There was a steady rise of language as the source and main indicator of national identity. This required the ‘re-Hellenisation’ and ‘re-Armenisation’ of Turkish-speaking non-Muslim populations. A similar movement among the Muslim population, starting later, produced new literary languages such as Albanian (later also Circassian). The Kurdish language experienced a sort of renaissance as a literary language at the end of the nineteenth century. Turkish remained, however, important as a medium of literary expression among Greek-speaking Muslims (Cretans) and some Albanians.

Demographic changes in major cities lead to the dominance of languages like Greek in Izmir or Albanian in Üsküb (Skopje). In the Arab provinces cultural development followed lines more or less independent from Turkish and left no place to this language. Attempts to impose Turkish as ‘the common language of the state’, to be used ‘in all state and public institutions’, as in Tsarist Russia, were not made until the final years of the empire. But this policy met with fierce resistance, even in the parliament, from both non-Muslim and Arab deputies.

The failure to build an ‘Ottoman’ nation is reflected in the language situation. For various reasons it was impossible to establish the language of the

ruling element, Turkish, as a 'national' language or a unifying element. Among the principal reasons for this failure, one has to mention the religious divisions (Muslims vs. non-Muslims), the absence of a common school system attractive for all communities, the absence of non-Muslims in the Ottoman army and perhaps also the absence of parliamentary life between 1878 and 1908. Linguistic Jacobinism, the desire to eradicate the languages competing with the 'national' language, was unfamiliar to the Ottoman authorities, although it can be occasionally detected in the writings of intellectuals. These intellectuals, however, had Muslim populations in mind. Many wished for Turkish to become the language of all Muslims in the Ottoman Empire, but the authorities had neither the will nor the means to impose such an ambition. They were not even able, as the case of the Albanians shows, to impose Arabic script upon non-Turkish speaking Muslims.

In an article published some months after end of the Balkan wars, Sâîî al-Ḥusrî ('Sati Bey') describes the situation he encountered in Janina during his stay as a teacher there. In Ottoman Janina (*Yanya*), Greek was the mother tongue even of Muslims, who considered it, much to the surprise of Sati Bey, as their 'national language' (*lisan-ı millî*). Greek was even used in prayers and in the mosque. Not without bitterness, he states that the non-Muslims had excellent schools and among them there were almost no illiterates, whereas the Muslim schools were poorly equipped. In conclusion Sati Bey wonders: "To what extent could one call this place "ours"? Does this not mean that this region which had belonged to us materially for five centuries, had lived spiritually separated from us? Now, I ask myself: "Do we have other *Yanyas*? Aren't there other areas more or less resembling *Yanya*?"¹¹⁴

Notes

- 1 In a book published in 1918 (and so after the loss of the European parts of the empire in the Balkan Wars), Ahmed Emin [Yalman] gives, for a population of 23.2 million, the following figures: 10 million Turks, 7 million Arabs, 1.5 million Armenians, 1.5 million Greeks and 0.8 million Jews; others: 2.4 million; Achmed Emin, *Die Türkei* (Gotha, 1918), p. 87.
- 2 For Russia, see e.g. Aneta Pavlenko, 'Linguistic Russification in the Russian Empire: Peasants into Russians?', *Russian Linguistics* 35/3 (2011): pp. 331–350; for Austria-Hungary, see e.g. Rosita Rindler Schjerve (ed.), *Diglossia and Power: Language Policies and Practice in the 19th Century Habsburg Empire* (Berlin and New York, 2003).
- 3 See for example the classical work by Ağâh Sırrı Levend, *Türk dilinde gelişme ve sadeleşme evreleri*, 3rd edn (Ankara, 1972).
- 4 The Greek Orthodox in Inner Anatolia were usually Turkish speaking. They are known as *Karamanlı*. See on these Richard Clogg, 'A Millet within a Millet: The Karamanlides', in Dimitri Gondicas and Charles Issawi (eds.), *Ottoman Greeks in the Age of Nationalism: Politics, Economy and Society in the 19th Century*, (Princeton, 1999), pp. 115–142.
- 5 See R.M. Dawkins, *Modern Greek in Asia Minor: A Study of the Dialects of Silli, Cappadocia, and Pharasa, with Grammar, Texts, Translations, and Glossary* (Cambridge, 1916).
- 6 H. Adjarian, *Classification des dialectes arméniens* (Paris, 1909), p. 121ff.
- 7 Numerous Turkish words are still in use in the modern Romanian language.

- 8 There are very numerous Armenian *aşıks* (ashough), most of who seem to have produced poetry exclusively in Turkish. See Mehmet Bayrak, *Alevi – Bektaşî Edebiyatında Ermeni Aşıkları (Aşuğlar)* (Istanbul, 2005).
- 9 Matthias Kappler, 'Fra religione e lingua/grafia nei Balcani: i musulmani grecofoni (XVIII–XIX sec.) e un dizionario rimato ottomano-greco di Creta', in Matthias Kappler (ed.), *Turkish Language Contacts in South-Eastern Europe: Articles in Italian, German, French and English* (Istanbul, 2002), pp. 103–141; p. 127.
- 10 Mehmed Mujezinović, *Mula Mustafa Ševki Bašeskija. Ljetopis, 1746–1804* (Sarajevo, 1968), p. 442.
- 11 Author of the 'Judgment between the Two Languages' (*Muhākamat al-lughatayn*), of which there is an English translation: Robert Devereux, *Judgment of Two Languages; Muhakamat al-lughatain by Mir 'Ali Shir Nawāi; Introduction, Translation and Notes* (Leiden, 1966).
- 12 His chronicle was published in a Serbo-Croatian translation by Mehmed Mujezinović (3rd edition, Sarajevo, 1997). See note 10.
- 13 Josif Ljubenov, 'Mes souvenirs du Yémen', in Bernard Lory (ed.), *Le Yémen en 1877–78 tel que l'ont vu deux médecins bulgares, Hristo Stambolski & Josif Ljubenov* (Istanbul, 2008), p. 126.
- 14 '... They had not paid attention to their peoples and had followed the way to remain superior towards them and to dominate them by force. They considered those who were ignorant of Turkish as people who did not fear God. They did not pay attention to Ottoman unity and equality between peoples. What they did concerning the Turkish language consists of considering the language as a dividing element between the rulers and the ruled or a symbol of rulership.' Muhammed Harb (ed.), *Cori Zeydan, Istanbul'a seyahat (Âsitâne 1909)*, translated by Mustafa Özcan (Istanbul, 2012), p. 188 [Arabic original: *Rihlat Jurjī Zaydān ila al-Âsitāna 'ām 1909*, Cairo, 2004].
- 15 Alf Grannes, 'Les éléments turcs dans la prose épistolaire d'Ivan Vazov', in Alf Grannes (ed.), *Turco-Bulgarica: Articles in English and French Concerning Turkish Influence on Bulgarian* (Wiesbaden, 1996), pp. 120–134; p. 120f. Originally published in *Cahiers balkaniques* 12 Linguistique, INALCO (Paris, 1988), pp. 211–235.
- 16 According to Gökalp, a native of Diyarbakır, Turkish was in some regions a specifically 'urban' language. In an article on urban and rural culture published in 1923 he wrote that 'in the Southern *vilayets*, [Kurdish speaking] Kurds lived in villages and *obas* (tents), whereas in cities like Diyarbakır, Siverek, Çermik, Güngüş . . . they usually speak Turkish'. He explains this as follows: 'In the southern provinces, freedom and equality only exist in cities. In the cities there is no *agha*, *bey*, or *aşiret reisi* [tribal leader] . . . Urban civilization is the exact contrary of the feudal civilization in villages and tribes. That is why Turks by a natural tendency have always turned towards towns'. Ziya Gökalp, 'Şehir medeniyeti, köy medeniyeti', *Küçük Mecmua* 30 (1923): pp. 4–7.
- 17 K. Mirčev, *Istoričeskaya grammatika na bŭlgarskiya ezik*, 2nd edn (Sofia, 1963), p. 75.
- 18 Leonard Bloomfield's 'upper' side includes 'conquerors', 'masters', 'officials' 'merchants' and others. See Leonard Bloomfield, *Language* (New York, 1933).
- 19 See Christo Stambolski, *Avtobiografiya, dnevnici i spomeni* (3 vols., Sofia, 1927–1931), Vol. 1, p. 77.
- 20 Şemseddin Sami, a relatively neutral observer, writes that the Kurdish *ulema* had been accustomed to study Arabic and Persian and had not paid attention to their own language (*kendi lisanlarına ehemmiyet vermediklerinden* . . .). However, there were a number of *divans* and literary works in the Kurdish language (*ba'z-ı divanlarile kütüb-i edebiyeleri vardır*). *Kamusi l-a'lâm* (6 vols., Istanbul, 1306–1316/1889–1898), Vol. 5, p. 3842.
- 21 In his 'Symboulē stous neous pōs na ōpheliountai kai na mē blaptountai ap' ta biblia ta phrangika kai ta tourkika, kai poia na 'nai hē kath' auto tous spoudē'; see Dēmētrios Katartzēs, *Dokimia*, K.Th. Dimaras (ed.) (Athens, 1974), pp. 42–73.
- 22 See J. Strauss, 'The New Status of Turkish in the Phanariot Era: Notes on the Turkish Elements in Phanariot Prose and Poetry Writing', in Akadēmia Athēnōn (ed.), *Kentron*

- Ereunēs tou Mesaionikou kai Neou Hellēnismou, Phanariōtika kai astika stichourgēmata stēn epochē tou Neohellēnikou Diaphōtismou* (Athens, 2013), pp. 263–286.
- 23 On this ‘Alipashiad’, see Matthias Kappler, *Türçismi nell’ “Alipasiadha” di Chatzi Sechretis: Un poema epico neogreco del primo Ottocento e le sue parole ottomane* (Venice, 1993). The text was first published by K.N. Sathas, ‘Historikai diatribai: Hē Alipasias tou Tourkalbanou Chatzē Sehreti’, in *Historikai Diatribai* (Athens, 1870), pp. 123–336.
 - 24 On the activities of Cosmas to propagate the Greek language from a local Muslim’s point of view, see Bekir Fikri, *Balkanlarda tedhiş ve gerilla: Grebene* (Istanbul, 1976), p. 253. According to Bekir Fikri, Christian merchants were told to refuse selling goods to Muslims if they did not ask for them in the Greek language.
 - 25 Aneta Pavlenko, ‘Linguistic Russification in the Russian Empire: peasants into Russians’, *Russian Linguistics* 35/3 (2011): pp. 331–350.
 - 26 See G. Groc and İ. Çağlar, *La presse française de Turquie de 1795 à nos jours: Histoire et catalogue* (Istanbul, 1985), p. 107 (n° 208); p. 62 (facsimile).
 - 27 See on these translations J. Strauss ‘A Constitution for a Multilingual Empire: Translations of the *Kanun-ı Esasi* and Other Official Texts into Minority Languages’, in Christoph Herzog and Malek Sharif (eds.), *The First Ottoman Experiment in Democracy* (Würzburg, 2010), pp. 21–51.
 - 28 ‘Sizlere Fransızca okutmaktan benim murâdım Fransızca lisanı tahsil ettirmek değildir. Ancak fenn-i tıbbi öğretip refte refte kendi lisanımıza almaktır’: ‘My intention in making you study in French is not to make you learn the French language. It is to teach medicine and to transpose it gradually to our own language’. See Aykut Kazancıgil (ed.), *Binbaşı El-Hac Rıza Tahsin, Tıp Fakültesi Tahrirçesi: Mir’at-ı Mekteb-i Tıbbiyye* (2 vols., Istanbul, 1991), Vol. 1, p. 11.
 - 29 See the text of the decision by the *Dar-ı şûrâ-yı askeri* (3 Receb 1287) in the *Mir’at-ı Mekteb-i tıbbiyye*, Vol. 1, pp. 173–175. It is fair to say, however, that the ‘Turkish’ terminology was almost entirely Arabic.
 - 30 Nevertheless, the *Société Impériale de Médecine* continued to use French in his gatherings until the Republican era. See Hüsrev Hatemi, *Bir Bilim Dili Mücadelesi ve Tanzimat* (Istanbul, 1989), p. 27. It is the predecessor of today’s *Türk Tıp Derneği*. The Turkish-speaking *Cemiyet-i tıbbiyye-i osmaniyye* (founded in 1867) became today’s *Türk Tıp Encümeni*.
 - 31 See George Washburn, *Fifty Years in Constantinople and Recollections of Robert College* (Istanbul, 2011), p. 38f.
 - 32 Ekmeleddin İhsanoğlu, *Suriye’de Modern Osmanlı Sağlık Müesseseleri, Hastahaneler ve Şam Tıp Fakültesi* (Istanbul, 1999), p. 31. More than 300 students graduated from this school between 1867 and 1907.
 - 33 Almost the same number of students graduated from this school.
 - 34 On this school, see İhsanoğlu, *Suriye’de Modern Osmanlı Sağlık Müesseseleri*.
 - 35 240 doctors and 289 pharmacists graduated from this school between 1906 and 1919.
 - 36 İhsanoğlu, *Suriye’de Modern Osmanlı Sağlık Müesseseleri*, p. 64.
 - 37 ‘. . . her bir cemaatı maarif ve hıref ve sanayiye dair milletçe mektepler yapmağa mezun olup’: ‘. . . every community is authorised to establish public schools of science, art, and industry’.
 - 38 ‘Bu mekteplerdeki tedrisat arasında Türkçenin hiç bir yeri yoktu’, Mehmed Ali Ayni, *Milliyetçilik: Tarihte ve Türklerde din, millet ve milliyetçilik* (Istanbul, 2011), p. 376.
 - 39 Formulated in the Education Law of 1869.
 - 40 Alexander Constantinidis, *Theoretikē kai praktikē methodos pros ekmathēsēn tēs othōmanikēs glōssēs* (Istanbul, 1873), p. 11.
 - 41 ‘saltanat-i seniyyem tebaasından bulunanlar. mekâtib-i şahanemin nizamât-ı mevzualarında gerek since ve gerek intihanca mukarrer olan şeraiti ifa eyledikleri takdirde cümlesi bilâ fark ve temyiz Devlet-i alıyyemin mekâtib-i askeriyye ve mülkiyyesi kabul olunması . . .’: ‘All the subjects of my empire, without distinction, shall be received into the civil and military schools of the government, if they otherwise satisfy the conditions as to age and examination specified in the organic regulations of the said schools’.

- 42 Interesting exceptions are the Jewish deputies in Bosnia (*vide infra*, n. 83).
- 43 Among these were Şemseddin Sami (1850–1905), an outstanding writer, translator and scholar who was trained at the *Zosimaia Scholē* in Janina, the same as other members of his family, and prominent Muslims from Southern Albania. The novelist Halid Ziya Uşaklıgil (1866–1945) was trained by the Mekhitarists in Smyrna. The philosopher and poet Rıza Tevfik (1869–1949) attended a Jewish school. A female writer, Ayşe Sıdika Hanım (Sedika Moustapha; 1872–1903), who authored the first modern work on education, was sent by her father to the *Zappeion*, the prestigious Greek high school for girls founded in Istanbul in 1875. Even ‘foreign schools’, or schools directed by priests or nuns (*frerler mektepleri*) which traditionally had mainly non-Muslim students, were occasionally attended by Muslim Turks, as the example of the outstanding writer and intellectual Halide Edib Adıvar (1884–1964) shows.
- 44 Selçuk Akşın Somel, *The Modernization of Public Education in the Ottoman Empire 1839–1908: Islamization, Autocracy and Discipline* (Leiden, 2001), p. 168.
- 45 For example, the famous Greek ‘Great School of the Nation’ (*Μεγάλη του Γένους Σχολή*), which had succeeded to the Patriarchal academies.
- 46 See Nathalie Clayer, ‘Albanian Students at the *Mekteb-i Mülkiye*: Social Networks and Trends of Thought’, in Elizabeth Özdalga (ed.), *Late Ottoman Society: The Intellectual Legacy* (London and New York, 2005), pp. 289–309.
- 47 At the Russian universities created in the nineteenth and early twentieth centuries – Kazan – Imperial University (1804; the second oldest of the current Russian universities), Kharkov (1805), Kiev (1834), Odessa (1864), Saratov (1909) and Mogilev (1913) – teaching was exclusively in Russian.
- 48 The Polish-language universities in Warsaw and Vilna were closed for the first time in 1831–32. After the fall of the January Uprising (1863–1864), the Tsarist authorities decided to convert the ‘Main School’ in Warsaw into a Russian-language university, which functioned under the name of ‘Imperial University of Warsaw’ for forty-six years.
- 49 At Dorpat [modern Tartu] University, reopened in 1802 by Alexander I (it had been founded by the Swedes in 1632), the language of instruction remained German until the 1880s, when the university was renamed ‘Imperial Russian University of Yur’yev’ (Russian name introduced in 1893 instead of *Derpt* ‘Dorpat’).
- 50 Eight years later this was changed. The Austrian authorities declared Polish as official and Ruthenian and German as auxiliary. Examinations in the two latter languages were possible as long as the professors spoke them.
- 51 It was divided into a German Charles-Ferdinand University and a Czech Charles-Ferdinand University in 1882.
- 52 The principal languages spoken in this area were, apart from Yiddish, Ukrainian and Romanian.
- 53 On the history of Turkish universities see Ekmeleddin İhsanoğlu, *Darülfünun: Osmanlı’da Kültürel Modernleşmenin Odağı* (2 vols., Istanbul, 2010), and Emre Dölen’s monumental *Türkiye Üniversite Tarihi* (5 vols., Istanbul, 2003), especially Vol. 1, ‘Osmanlı Döneminde Darülfünun, 1863–1922’.
- 54 Martin Strohmeier, *Al-Kullīya al-Şālāḥīya: Arabismus, Osmanismus und Panislamismus im ersten Weltkrieg* (Stuttgart, 1991), p. 18.
- 55 The first four journals of the Memoirs of the ‘Imperial Academy of Sciences in St. Petersburg’ were published in Latin, up to the Academy’s 1803 reorganisation, whereupon the language of preference changed to French. Another important publication, the *Beiträge zur Kenntniss des Russischen Reiches und der angrenzenden Länder Asiens* [Contributions to Knowledge of the Russian Empire and Neighbouring Countries of Asia], was a scholarly periodical published in German (1839–1861, 23 vols) by the Imperial Saint Petersburg Academy of Sciences. The *Bulletin de l’Académie impériale des sciences de St.-Petersbourg* (1860–1888) contained articles mainly in French and German.
- 56 In this treatise, symptoms and causes of cholera are briefly described, as well as the precautions to be taken in order to prevent the disease and methods of treatment.

- 57 This is also true for the French-language publication *Journal asiatique de Constantinople*, of which only one issue appeared in 1852.
- 58 The name varied over the years, becoming finally the 'Imperial Saint Petersburg Academy of Sciences' (until the end of the empire in 1917).
- 59 The Russian Academy was merged into the Imperial Saint Petersburg Academy of Sciences in 1841.
- 60 In 1825 the Hungarians had founded their *Magyar Tudós Társaság*. As with other institution of that kind, its task was specified as the development of the Hungarian language and the study and propagation of the sciences and the arts in Hungarian. The Hungarian Academy received its current name (*Magyar Tudományos Akadémia*) in 1845.
- 61 The *Kavaid-i osmaniyye* by Cevdet [Pasha] and Fuad [Pasha] (1851).
- 62 This is the *Dictionnaire français-persan et turc, enrichi d'exemples en langue turque avec des variantes, et de beaucoup de mots d'arts et de sciences* (3 vols., Moscow, 1840–41).
- 63 Article 2 (of the section on the capacities required for its members): '*kitâbet-i türkiyyede meharet-i kâmilesi olmadığı halde dahi eger elsine-i ecnebiyye ve fûnun-ı sairede mâlumatı var ise intihabı caiz olacaktır*'.
- 64 Article 3: '*âza-yı hariciyyenin lisan-ı türkiye vakıf olmaları şart olmayub her kangı lisanda olur ise olsun Encümene arz-ı mâlumat ile maarif-i umumiyye için bir suretle nâfi' olabilmesi kıfayet edecektir*'.
- 65 See R.B. Campbell, *The Arabic Journal 'al-Machriq': its beginnings and first twenty-five years under the editorship of Père L. Cheikho* (unpublished PhD dissertation, University of Michigan, Ann Arbor, Michigan, 1972).
- 66 On these attempts, see Pavlenko, 'Linguistic Russification'.
- 67 The use of minority languages had started very early, even prior to the *Tanzimat*. The official gazette, the *Takvim-i Vekayi* (founded in 1831), appeared for a while in a Greek and in an Armenian version, and probably also in other languages.
- 68 Publication of most of these papers began after the Reform of the *vilâyet*s (1864), except for Tunis, where the publication of the official paper *Al-Râ'id at-Tûnisî* (in Arabic) had started already in 1860. Among the official papers of the Arabic provinces, *Zevra / al-Zavrâ'*, the bilingual *vilâyet gazetesi* of Baghdad province, founded in 1869, enjoyed for a while the highest prestige. See the list of these papers in Bülent Varlık, 'Yerel Basını öncüsü: vilâyet gazeteleri', *Tanzimat'tan Cumhuriyet'e Türkiye Ansiklopedisi* (6 vols., İstanbul: İletişim, 1985), Vol. 1, pp. 99–102; here pp. 100–101. This list has listed several papers with an Armenian version, which was actually Armeno-Turkish. Many provincial papers are insufficiently known since only a few copies are left. In other cases the versions in the minority languages had been thrown away, and only the Turkish versions can be found in the collections. Occasionally, also the opposite may occur – as I had the opportunity to observe in a Greek library.
- 69 See Mehmed Kutalmış, 'Arap ve Ermeni Harfli Türkçe Hüdavendigar Gazetesi', *Ermeni Araştırmaları* 12–13 (kış 2002–ilkbahar 2004), found at <www.eraren.org/index.php?Page=Dergiler>.
- 70 It must be noted, however, that these languages were less standardised than the 'Christian' languages of Greek, Bulgarian and Serbian.
- 71 On this concept and its use, see J. Strauss, 'Modernisation, nationalisation, désislamisation: la transformation du turc aux XIXe–XXe siècles', *Revue des Mondes musulmans et de la Méditerranée* 124 (2008): pp. 141–159; p. 141 ff.
- 72 Similarly, in the 1860s the Russian administration banned the use of the Latin alphabet ('Polish alphabet') for a variety of mainly Slavic languages, contending that the only appropriate alphabet for them was Cyrillic. Pavlenko, 'Linguistic Russification', p. 339.
- 73 Strohmeier, *Al-Kullîya al-Şalāhîya*, p. 55.
- 74 Robert Devereux, *The First Ottoman Constitutional Period: A Study of the Midhat Constitution and Parliament* (Baltimore, MD, 1963), p. 145.
- 75 According to the criteria current in the k.u.k. Monarchy, which stated that the nationality was determined by the acknowledged *Umgangssprache*, the Parliament was composed

- in 1907 by 233 Germans, 107 Czechs, 82 Poles, 33 Ruthenes, 24 Slovenes and 19 Italians, in addition to 13 Croats and 5 Rumanians.
- 76 German, Polish, 'Ruthenian', Serbian, Croatian, Slovenian, Italian, Rumanian and Russian.
- 77 It listed even Persian and Hebrew among these languages.
- 78 İsmail Habib, *Yeni "Edebî yeniliğimiz": Tanzimattanberi II: edebiyat antolojisi* (Istanbul, 1940), p. 210.
- 79 Ibid., p. 211.
- 80 Elke Hartmann, 'The "Loyal Nation" and Its Deputies: The Armenians in the First Ottoman Parliament', in Christoph Herzog and Malek Sharif (eds.), *The First Ottoman Experiment in Democracy* (Würzburg, 2010), pp. 187–222; p. 202.
- 81 Philippe Gelez, 'Towards a Prosopography of the Deputies from Bosnia-Herzegovina in the First Ottoman Parliament', in Christoph Herzog and Malek Sharif (eds.), *First Ottoman Experiment*, pp. 233–253; p. 233.
- 82 Ibid., p. 231. This may explain why Article 68 of the Constitution insists that 'after the expiration of the first period of four years one of the conditions of eligibility of a delegate is that he shall know *how to read Turkish* and *as far as possible write that language*'.
- 83 Ibid., p. 229.
- 84 Malek Sharif, 'A Portrait of Syrian Deputies in the First Ottoman Parliament', in Christoph Herzog and Malek Sharif (eds.), *First Ottoman Experiment*, pp. 285–311; p. 308 (after Tark Hakkı Us [ed.], *Meclis-i Meb'usan 1293–1877, Zabıt Ceridesi* [2 vols., Istanbul 1939–1954], Vol. 1, p. 313, n. 115).
- 85 'Zaten Türkçeyi de pek iyi bilmiyorlardı', Hüseyin C. Yalçın, 'Osmanlı Meclisinde Arap Mebuslar', *Yakın Tarihimiz: Birinci meşrutiyetten zamanımıza kadar hatıralar, vesikalar, resimlerle* (52 issues 1 Mart 1962–21 Şubat 1963, Istanbul), Vol. 1, issue 1 (1 Mart 1962), p. 265.
- 86 See Ayfer Özçelik, 'Osmanlı Mebusan Meclisinde "Türkçe" tartışması', *OTAM* (Ankara Üniversitesi Osmanlı Tarihi Araştırma ve Uygulama Merkezi Dergisi) 13 (2002): pp. 213–226, p. 223.
- 87 See Richard Clogg, 'The Greek Millet in the Ottoman Empire', in B. Braude and B. Lewis (eds.), *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society* (2 vols., London, 1982), Vol. 1, p. 197.
- 88 See Marc Nichanian, *Âges et usages de la langue arménienne* (Paris, 1989), p. 245.
- 89 J. Strauss, 'Linguistic Diversity and Everyday Life in the Ottoman Cities of the Eastern Mediterranean and the Balkans (late 19th–early 20th century)', *The History of the Family* XVI/2 (2011): pp. 126–141; p. 129.
- 90 Özçelik, 'Meclisinde "Türkçe" tartışması', p. 220.
- 91 During the demonstrations that took place in this city after the Young Turkish Revolution in 1908, all of these communities brandished banners with slogans in their own language.
- 92 J.F. Fraser, *Pictures from the Balkans* (London, 1906), p. 185.
- 93 E.g., the city of Prague, due to the demographic changes, ceased to have a German-language majority around 1860.
- 94 Yahya Kemal [Beyatlı], *Çocukluğum, gençliğim, siyasî ve edebî hâtıralarım* (Istanbul: Yahya Kemal Enstitüsü, 1976), p. 47. A similar attractiveness of Circassian is described by Ömer Seyfeddin in his story 'The Leather Belt' (*Kayış*), with its 'pseudo-Circassian'.
- 95 Süleyman Külçe, *Osmanlı Tarihinde Arnavutluk* (Izmir, 1944), p. 339.
- 96 Hakan T. Karateke (ed.), *İşkodra şairleri ve Ali Emiri'nin diğer eserleri* (Istanbul, 1995).
- 97 In his letters sent to the Tatar paper *Vakyt*. See Volker Adam, *Russlandmuslime in Istanbul am Vorabend des Ersten Weltkrieges. Die Berichterstattung osmanischer Periodika über Russland und Zentralasien* (Frankfurt, 2002), p. 358.
- 98 A. Grannes, 'The Attitude of the Great Bulgarian Writer Ivan Vazov towards Turkish Loanwords in His Mother Tongue: A Balanced View of a Delicate Matter', in A. Grannes (ed.), *Turco-Bulgarica*, pp. 85–98.
- 99 Quite successful attempts at purifying the 'national' languages occurred also with languages spoken in Austria-Hungary, in particular Czech and Hungarian.

- 100 See Strauss, 'A Constitution for a Multilingual Empire', p. 50.
- 101 See on this press J. Strauss, 'Probleme der Öffentlichkeitswirkung der muslimischen Presse Kretas', in Christoph Herzog, Raoul Motika and Anja Pistor-Hatam (eds.), *Presse und Öffentlichkeit im Nahen Osten* (Heidelberg, 1995), pp. 155–174.
- 102 He was born in the village of Çurhli (today *Hagios Geōrgios*), whose inhabitants were at the beginning of the twentieth century in the majority Greek-speaking Muslims, known as *Valachades*.
- 103 Grebeneli Bekir Fikri, *Meşküre-i vatan, Orduda iman* (Istanbul, 1330/1914).
- 104 The first paper with articles in Circassian, *Guaze* (*Qhuaze* 'Guide'), appeared in Istanbul in 1911 as the mouthpiece of the *Çerkes İttihad ve Teaviün Cemiyeti*, founded in 1908.
- 105 See Abdülhamit Kırmızı (ed.), *Osmanlı sonrası Arnavutluk (1912–1920), Avlonyalı Süreyya Bey* (Istanbul, 2009).
- 106 This literary production in the Turkish language is more or less forgotten in Albania today.
- 107 See on these exchanges my 'Who Read What in the Ottoman Empire (19th–20th centuries)?', *Arabic Middle Eastern Literatures* VI/1 (2003): pp. 39–76, esp. pp. 53–57.
- 108 The Greek doctor Michael Tchakyroglu of Izmir (1854–1920) published translations from Baki's *divan*, as well as the work of contemporary poets (Tevfik Fikret).
- 109 Levend, *Türk dilinde gelişme*, p. 102.
- 110 Ziya Gökalp, *Türkleşmek, islâmlaşmak, muasırlaşmak* (Istanbul, 1918), p. 52.
- 111 From a letter by Namık Kemal dated 13 November 1878; Feyziye Abdullah Tansel, 'Arap harflerinin islâhı ve değiştirilmesi hakkında ilk teşebbüsler ve neticeleri', *Belleten* 17 (1953): pp. 224–249; p. 246.
- 112 Gökalp, *Türkleşmek*, p. 52.
- 113 One may also add the variety of Serbo-Croatian cultivated by the Bosnian Muslims.
- 114 'Yanya ve Yanyalarımız', *Terbiye Mecmuası* I/ 2 (15 Nisan 1330/1913), pp. 97–98.

8 The Ottoman legacy to post-Ottoman states

Frederick Anscombe

'Legacy' is a tantalising idea in history, but it is difficult to trace, except in cases where a verified will and testament survives – and such documents are distressingly rare for empires, states and nations. Where such documents do exist, as in the case of the Ottoman Empire, they take the form of international agreements apportioning imperial assets, mainly land, and burdens, notably foreign debt, and in some cases the extraordinary rights accorded to subjects and protégés of European states under trade agreements known as capitulations. While such legacies were obviously important to post-Ottoman states, they hold little to tempt much speculation from historians. Therefore, in cases of conjecture about links between the Ottoman Empire and post-Ottoman states historians have tended to stray into the even less easily definable area of 'heritage', meaning supposed continuities in attitude and practice, or simply 'the way things have been done', from the imperial to the post-Ottoman period. Some heritage-citers have posited habits such as apathy (*yavaşlık*), distrust of government, bribery, disregard for the rule of law and even human trafficking.¹

More credible and creditable studies have also engaged in drawing parallels. They have, for example, suggested the existence of a 'big state tradition' shared by Ottoman and successor countries, or asserted that the nationalisms so evident in post-Ottoman countries were firmly rooted in ethno-national identities that developed during the last century of Ottoman rule.² Such parallels are nevertheless speculative, as they too often fail to demonstrate the clear, unbroken links denoted by the word heritage. In the sphere of politics, there was practically no Ottoman heritage, let alone legacy, that survived the creation of nation states on formerly Ottoman lands in the Balkans and the Middle East, with the partial exception of Turkey.

Insofar as there was anything perceptible inherited from the empire in the case of Turkey, it derived primarily from the fact that it was the only post-Ottoman country not created by the Christian powers of Europe. All post-Ottoman countries have had the principle of the nation state as their reason for being, and all but Turkey were created by the powers in conformity with models of ethno-nationalism that emerged in western and central Europe in the nineteenth century, not with the social or political experiences of Ottoman populations. In each post-Ottoman country, again with the partial exception of Turkey, not only

was there thus the necessity of creating a state (the authoritative institutions of government), which under great-power tutelage meant one patterned on the states of western Europe, but also then there was the need for the new state to create the nation in order to justify its own existence. Most nation-building projects required the state's assertion of control over religious institutions, in order to 'nationalise' the only significant supralocal identity that was indeed inherited from the Ottoman period. The means, and in many cases the leading personnel, needed to achieve these tightly linked political objectives came from non-Ottoman Europe. The post-Ottoman political order is, in shape and spirit, a legacy not of the empire but of European carpetbaggers.

Europe and the creation of post-Ottoman countries

Turkey is the only post-Ottoman country created mainly by the efforts of its own inhabitants rather than by the military and diplomatic pressure of Christian European powers. Russian victory over the Ottomans in the war of 1828–9 led to the establishment of independent Greece, autonomous Serbia and autonomous Wallachia and Moldavia. Another Russian victory in 1877–8 led to independence for Serbia, Romania and Montenegro, and autonomy for Bulgaria. Subsequent enlargements to the original domains of those countries were decided by the European powers or simply, as in the case of the Balkan Wars of 1912–13, by conquest aided and confirmed by European diplomacy. It bears mentioning that, with the partial exception of Crete, natives of territories so added played no consequential role in the disposition of their homelands. Albania was created by the powers out of lands seized by neighboring irredentist post-Ottoman regimes in 1913. Ultimately, the disposition of all of the Balkan territories depended upon European politicians' opinions on the ethnic composition of the peninsula and their views on the rights conferred by ethnicity. In other Ottoman lands the powers simply took territories for their own purposes, from France in Algeria (1830) and Tunisia (1881), to Britain in Cyprus (1878), Egypt (1882), Sudan and Kuwait (1899), to Italy in Tripolitania (1911). It was only in the post-1918 establishment of Iraq, Syria, Palestine and Transjordan that they added an ethnic rationale derived from having fought the war in the Middle East nominally for the purpose of liberating 'the Arabs' from 'the Turks'. In contrast to the Balkans, this rationale still did not preclude the placement of those apportioned territories under British and French control. Only in Anatolia was the distribution of Ottoman lands balked by armed opposition from remnants of the Ottoman army and parts of the population that eventually rallied behind Mustafa Kemal Pasha (Atatürk). This opposition movement's victory over the Greeks in Anatolia finally persuaded the war-weary British and French to accept as fact an independent Turkey on most of the land that is now part of the republic.

Successful self-defence against foreign plans to carve up Anatolia gave the future citizens of the Republic of Turkey a plausible 'native' claimant to political leadership. Mustafa Kemal Pasha, an Ottoman army general, won prestige as

the 'Gazi' (warrior for Islam) leader of the liberation struggle, acting against the orders of the Ottoman government in Istanbul, which was under Anglo-French occupation. His aura of effective leadership in a time of critical danger to Anatolia's future legitimated his subsequent arrogation of power in the new republic. Yet even Mustafa Kemal and his close adherents had to execute a staged program of purges to eliminate rivals who had gained significant political or military status during the Ottoman era. These included not only the Ottoman dynasty but also the remaining influential figures of the Committee of Union and Progress (CUP, 'the Young Turks'), as well as some who had accrued significant prestige from their service in the independence struggle, such as Kâzım Karabekir Pasha, another Ottoman army general.

Only one other post-Ottoman country might be said to have had such a clear native contender for 'national' leadership at the founding of a new 'state': autonomous Serbia, which was controlled by Miloš Obrenović until 1839. After a decade as prince of the autonomous province of Belgrade, the kernel of the future independent Kingdom of Serbia, Miloš abdicated rather than submit to limitations on his powers introduced through a new constitution, which was issued by the sultan in response to appeals from other notables in Belgrade province who resented Miloš's autocratic style of government. Miloš was to return briefly almost two decades later, but by then the Serbian state had changed radically, having developed an entrenched bureaucracy with influence to rival his own. The only other country created after, but not as a result of, a serious rebellion against Istanbul's authority was Greece. No recognised leader emerged from the local notables who had been involved in the fighting, but precisely because they had carried the burden of battling against Istanbul's forces those notables could not accept the leadership of any of the expatriate Greeks favoured by European powers. Ioannis Kapodistrias, a former diplomat in Russian service who had spent the war years in Switzerland, tried to establish himself as the legitimate president of the Greek Republic but was killed by one of the local notables. This led the powers to install Otto, a Bavarian prince, as ruler of the new Kingdom of Greece in 1833. Once this precedent of European imposition of a non-native monarch was set, it became a pattern repeated across the Balkans (Romania, Bulgaria and briefly Albania) and the post-1918 Arab lands, where Britain placed sons of the Amir of Mecca on the purpose-built thrones of Iraq and Transjordan.

For the task of establishing state institutions, these newly installed rulers worked with a coterie of advisors and lieutenants they had brought in their entourages or with assistants appointed by the European powers. King Othon (né Otto Wittelsbach) of Greece brought with him three Bavarian regents and numerous administrative officials, as well as a Praetorian Guard of German soldiers. In Serbia, Miloš Obrenović's effective successor was Aleksandar Karadjordjević, who had lived most of his life abroad; lacking vital roots in the country, he relied upon Serbs from Habsburg Vojvodina to fill the expanding ranks of the bureaucracy that proved critical to his assertion of authority. In Bulgaria, the powers gathered at the Congress of Berlin in 1878 compelled Russia

to establish a functioning state in this newly autonomous principality and then to withdraw. The Russians appointed a central chancery to devise the new state structure; the chancery included only one Bulgarian, Marin Drinov, who had emigrated to Russia in 1858. Drinov did not remain long, preferring to return to Russia, where he lived until his death in 1906. To head the state devised by the central chancery, another German prince, Alexander Battenberg, became Prince of Bulgaria with the support of Europe's main powers. As for the new Arab countries, the League of Nations mandates directed Britain and France to foster the development of native capabilities for self-rule, making European supervision of budding state institutions not only overt but also, literally, mandatory. King Faysal of Iraq and Amir Abdallah of Transjordan nevertheless relied upon aides whose positions tended to derive not from their roots in local society, but from their service in the Arab Revolt of 1916–18 and their support for Faysal's failed bid to establish a throne in Syria in 1920. With the exception of Turkey, non-natives exercised authority not only at the level of the head of state but also in key posts of the administration.

The European pattern of post-Ottoman states

As rulers and their key advisers had been imported from abroad, those holding responsibility for building administrative systems to manage fledgling countries had very little knowledge of local Ottoman-era institutions and practices. With the establishment of those new countries having rested upon the assumption that 'the Sick Man of Europe' had been hopelessly incapable of just and proper rule, moreover, these imported elites had little interest in adapting any local Ottoman political practices to post-Ottoman purposes. They sought rather to replicate the administrative systems they knew from their experiences elsewhere or, in the Arab lands, to copy those of the imperial powers that had assumed control over former Ottoman territories. Across the post-Ottoman region the state model was European, and the near universal adoption of constitutions patterned on European precedents merely confirms the source of political designs.

As the first independent post-Ottoman state to be constructed, Greece established a model that would later be emulated elsewhere. The regents under the new king, Othon, tried to create a strong centre for the state by establishing seven ministries that were headed and staffed by Bavarians and non-native Greeks. In accordance with the model of the ministry known from experience in Bavaria, each ministry had an internal hierarchy of bureaus and subdirectorships. Ministry directives were to be applied by new, standardised administrative hierarchies across the kingdom, whose internal divisions were designated as districts, sub-districts and municipalities. All officials were appointed by and answerable to the king, and none were native to their designated area of authority except for those who operated at the municipal level.³ In structuring the state, the regents followed the administrative model of the centralised 'enlightened-despotate', so well known in Bavaria, particularly since Napoleon's propagation of the rational

French system across much of Christian Europe. It was this system that encouraged the rapid growth of bureaucracy, rather than an erroneously identified 'big state tradition' inherited from the Ottoman Empire.

Nowhere was the European impulse in state construction clearer than in the establishment of principles regulating the population and the state's relationship to society: the law. Georg Maurer, a regent with recognised legal expertise, adapted the Bavarian version of the Code Napoléon to serve as the backbone of the monarchy's legal system. Maurer left Greece before completing his drafting of all fields of law, but invariably Ottoman-era precedents were deplored, negated or misinterpreted in accordance with common European conceit about Ottoman legal despotism. In addition to Maurer's work, the myriad decrees of the Bavarian-born monarch were the source for the rapidly growing corpus of law in the kingdom. Given its utterly alien origins, however, the new state's legal system suffered a monumental credibility problem throughout the nineteenth century.⁴

European influences similarly displaced Ottoman precedents elsewhere, most clearly in the Balkans but also in the Middle East and even in Turkey. In Serbia, for example, Aleksandar Karadjordjević not only imported bureaucrats from Habsburg Vojvodina to nearly double the number of people employed by the state, but also acceded to the bureaucracy's initiatives to improve their own terms of employment, thereby strengthening the bureaucracy as the critical institution of the state. The bureaucratic state introduced fundamental changes in revenue-raising practices and the law, the latter by adopting a revised Habsburg version of the Code Napoléon in 1844.⁵ In the 1920s, the Republic of Turkey replaced Ottoman civil and criminal law with Swiss and Italian codes, and through the 1930s it amended the criminal code to match changes made by the fascist regime in Italy.⁶

Change took slightly longer to develop in the Middle East, where mandatory regimes formally charged with preparing new countries for self-rule felt some pressure to move cautiously in changing extant legal and administrative practices. The British felt particularly constrained in Palestine to preserve some continuity with Ottoman law, in large part due to French sensitivities about a territory that had been projected in the Sykes-Picot Agreement of 1916 to be placed under international administration after the First World War. Ottoman criminal and commercial law codes were nevertheless jettisoned with little delay. Ottoman land law, which is still portrayed as a valid basis for Palestinian Arab claims to legal ownership of land in Israel and the Occupied Territories, was misunderstood, misapplied and largely superseded over time by the mandatory authorities.⁷ Palestinians' legal claims to land in Israel effectively became moot after 1948, and the main reason Ottoman land law still seems relevant in the Occupied Territories is that they are the only parts of the former empire where a fully independent post-Ottoman state has never been recognised. The slow construction of administrative institutions in countries such as Iraq and Syria, carried out under close Anglo-French direction, caused a less rapid expansion in bureaucracy than seen in most Balkan countries, but again the model for state

institutions was British or French. The continuities of personnel were limited and mainly low level: service in the old imperial regime raised sensitive questions about loyalty in the minds of non-native leaders nominally in control of these new countries and the foreign powers that supervised them. The social elite of 'local notables', who represented the most significant element of continuity in Syria, Egypt and Iraq, saw its social, economic and political influence severely disrupted by military coups and radical regime changes that swept aside governments across the region soon after the achievement of full independence. Even in Turkey, where the post-Ottoman republican regime had clear roots in the 'Young Turk' CUP, the bureaucracy in service by the late 1920s had been reshaped by repeated purges of those suspected of lingering loyalty to old rulers, from Sultan Abdülhamid II after 1908–9 to the Ottoman dynasty, to CUP imperial leaders such as Enver Pasha after 1923–4.

The construction of nations

Purges, coups, ineffective legal systems and other signs of turmoil in public affairs suggest the underlying problem for post-Ottoman states and rulers caused or exacerbated by the absence of any meaningful Ottoman legacy or heritage: their lack of legitimacy in the views of their subject populations. In the historical visions promoted by regimes throughout the post-Ottoman period, the empire has traditionally been portrayed as a 'prison of nations', despite the fact that nationalism within the Ottoman population never presented a serious threat to the empire. The very weakness of nationalism or even ethnic identity within the empire created a gulf between the champions of the new nation state and the people they were supposed to represent. Each post-Ottoman regime had to devote extraordinary attention to inculcating a national identity in its subject population in order to justify the existence of the country and the new regime as the legitimate guardian of the nation-state.

Proponents of the idea that nationalism flourished in the empire during the nineteenth century habitually cite the writings of intellectuals living in Europe or refer to a variety of authors who were in some other way unusually well acquainted with Christian Europe. Such citations implicitly or explicitly acknowledge the European origins of nationalism but fail to provide an explanation of how nationalism is supposed to have spread from its European seedbed to the Ottoman population. The works of Adamantios Korais (1748–1833) and Rhigas Velestinlis (1757–1798), for example, are cited as evidence of the spread of Greek nationalism, as are the works of Dositej Obradović (1742–1811) and Jovan Rajić (1726–1801) for Serbian nationalism. Korais spent practically all of his adult years in Paris, and Velestinlis, whose romantic ideas of Greek (i.e. Orthodox Christian) liberation were similarly stirred by events in France, lived and worked in Vienna. Obradović and Rajić were natives of the Habsburg empire and had even less direct experience of Ottoman lands than Korais and Velestinlis did. The market for the writings of all of these authors was in western and central Europe. Literacy rates among the 'Greek' and 'Serbian' Orthodox

populations that launched supposedly nationalist revolutions were abysmally low: in Belgrade province, where Christians had rebelled in 1804, the literacy rate in the late 1820s was estimated to be below 0.5 per cent.⁸ Literacy rates among Greeks were probably higher, but literacy was concentrated in urban cultural centres such as Istanbul. Yet the epicentre of the Greek revolt (1821) was in the wild and uncultured Morea. Bulgarians can at least cite a 'founding national text' by a local author, the monk Paisii Hilendarski. Paisii sent manuscripts of his *Slavenobulgarian History* (1762), a protest against the dominance of Graecophony in the Orthodox Church, to other clergy, but to little visible effect. The text was printed only in 1844 in Budapest, and Paisii remained obscure and inconsequential until he was championed in Russia by Marin Drinov, Professor of History in Kharkiv before his appointment to the Central Chancery of Bulgaria. Drinov publicised Paisii in 1870–71 as part of the campaign to force the Ottoman government and the Orthodox Patriarchate of Constantinople to create a Bulgarian church hierarchy. The campaign succeeded in 1871 when, in response to pressure from the Russian government, the Ottoman government and the patriarchate established a Bulgarian exarchate.⁹ Within Bulgarian lands, where adult literacy rates in the 1880s ranged from less than 0.5 per cent to less than 7 per cent, Paisii was irrelevant.¹⁰

Evidence for Arab and Turkish nationalism prior to 1918 seems similarly weak. Figures identified with Turkish nationalism in the late Ottoman period were either, like Obradović and Rajić, not native to the empire or had, like Korais and Velestinlis, marginal influence as propagators of nationalism in the empire. Yusuf Akçura and Gaspıralı İsmail, two prominent nationalists from Russia, exemplify the former, and Ziya Gökalp is a notable example of the latter. Gökalp, a Kurd from Diyarbakır, was a notable campaigner for the simplification of the Turkish language and for its centrality to public life in the empire, but he had little importance as a galvaniser of a popular Turkish nationalist movement prior to 1918. As for the case of Arab nationalism, authors commonly linked to nationalism had no real association with the idea, were Syrian Christians whose significance for the development of nationalism among the Muslim majority has been emphatically discounted by other scholars, were Islamic reformers or had campaigned for greater local control over provincial affairs.¹¹ In both Turkish and Arab cases there is little evidence that authors advocated dissolution of the empire and the creation of independent nation states in its place. Given that literacy rates among Muslims were certainly no higher than they were among Christians, moreover, the question of how even limited ideas of nationalism or even ethnic identity were supposed to have spread from the literati to the masses – the great majority of the nation – remains as unanswerable as in the case of the Balkans. As in the Balkans, where the Greek revolt erupted in the wild and backward Morea, the main uprising ascribed to nationalists, the Arab revolt of 1916 in the Hijaz, arose in an area 'singularly lacking' the political, economic and intellectual prerequisites for the emergence of nationalism.¹²

Such assertions that the Ottoman Empire faced no serious nationalism problem within its population do not discount various outbreaks of rebellion

among Ottoman subjects or the imperial authorities' real fears over the spread of nationalism. Government concerns about nationalism are easy to understand, in light of the well-established record of European powers' readiness to intervene in disputes involving Ottoman Christians. Regardless of the origins of such affairs, European intervention could lead to the division of Ottoman imperial domains in accordance with prevailing European ideas about Ottoman ethnic groups. Imperial authorities therefore feared that any incident of unrest, small or large, could lead to European intervention and the loss of territory if not quelled quickly and in an orderly fashion. Nationalist groups, most of which were not based in or native to Ottoman lands, certainly recognised the pattern of European intervention and designed campaigns of agitation focused on small but attention-getting incidents, such as blowing up a branch of the European-controlled Ottoman Bank, hoping to prompt the involvement of external powers. The natives of the Ottoman provinces who would theoretically constitute the nation usually failed to heed agitators' calls to rise and liberate themselves from 'the Turk'. Where significant rebellions did erupt, there were serious triggers that had little to do with ethnic nationalism; insofar as group identities were concerned, they were shaped by religious creed.

Uprisings in the early nineteenth century were the most serious revolts of the late Ottoman era, and those in Belgrade province (1804) and the Morea (1821) established the notion that such revolts were national liberation movements. The overwhelmingly illiterate participants in these rebellions had real, pressing concerns over Istanbul's failure to uphold basic principles of security and justice in a period of chaos affecting both the provinces and the imperial capital. That the rebels were Christian derived largely from the fact that the main agents of insecurity and injustice were predominantly Muslims who appeared too ready to target non-Muslims. These revolts (of which the Belgrade uprising originated as a loyalist movement that appealed to the sultan) became nationalist movements only in retrospect, courtesy of the nationalist recasting of history sponsored by post-Ottoman states.¹³ Subsequent bouts of 'nationalist' unrest in the Balkans were sparked by activists infiltrated from abroad, and insofar as agitators aroused a reaction among the Ottoman populace, it was through appeals to their religious sensitivities. The Bulgarian 'April Uprising' of 1876, for example, consisted of scattered village revolts, with peasants spurred to take up arms by agitators who spread the rumor that a Russian army had invaded the empire and that 'the Turks' were coming to massacre the Christians before the Russians could arrive.¹⁴ As has long been recognised, the Arab revolt of 1916 was similarly organised abroad by the British in Egypt, and also appealed to religious, not ethno-national, identity. Sharif Husayn launched his rebellion as a movement to save Islam by throwing off the rule of the CUP, which he accused of having failed to uphold the shari'a and of having tied the Ottoman empire to infidel Germany.¹⁵ Husayn's obvious dependence on Britain made this line of argument rather difficult to sustain convincingly, but British gold, grain and guns brought him the resources to maintain the revolt until the end of the war. The revolt made little difference to the course of the conflict in the

Middle East, but in the post-Ottoman period it gained iconic status as a major, successful nationalist movement, as it provided the readiest propaganda tool to use in protest against the establishment of Anglo-French control over former Ottoman territory.

Given the weakness of national identity among populations inherited from the Ottoman Empire, every regime placed in nominal command of a post-Ottoman 'nation state' faced the urgent need to build a nation to justify its existence. The tools available were relatively limited in most cases. The first step was to establish control over the institutions representing the religion with which the population targeted for formation into a nation identified. Once religious institutions had been subordinated to the new state, they could be compelled to support the nation-building project. Again, Greece set the precedent that other regimes would follow as more post-Ottoman countries were created. The Bavarian regency created an explicitly national, autocephalous Orthodox church in 1833, governed by a synod whose members were appointed by the king until 1852; the church then gained greater influence over the membership of its governing body, but the decisions of the synod had no validity until signed by the state's representative. Emblematic of the new church's identification with the post-Ottoman regime was the state's support of the tale that the church had served as the preserver of the nation through the centuries of Ottoman oppression. Other Balkan regimes created national churches in broadly similar fashion, leaving the Patriarchate of Constantinople, the main Orthodox Church institution that could have 'preserved the nation' during the Ottoman period, effectively shorn of direct administrative authority in former Ottoman lands. In Turkey, the early post-Ottoman regime went further by taking direct control of institutions or, when that was not possible, by dissolving them, as was the case for medreses and sufi tarikats. Arab regimes moved more cautiously, in part because their arduous progress toward independence from foreign control lessened their appetite for domestic confrontation over religious institutions. As European influence lessened and more militant, authoritarian regimes took power in many countries, official oversight was also tightened. Emblematic of this trend was the proscription of the Muslim Brotherhood and the persecution of its members in Jamal 'Abd al-Nasir's Egypt after 1954.

Rapid growth in the size and role of the military indicated another facet of nation-building across the post-Ottoman region. As creations of the great powers in an era when Europe was militarily supreme, most post-Ottoman countries faced no serious external threats, but most devoted large parts of their modest revenue to strengthening their armed forces for two basic, domestic political purposes. The immediate benefit sought was the creation of forces that could protect the state and ensure that its directives were heeded by the population placed under its nominal authority. The long-term goal was to raise awareness of the nation in military recruits. To that end most regimes introduced conscription. In Greece, Otto and his ministers brought a strong German military contingent to subdue the resistance to centralised rule that had prompted the failure of earlier republican regimes and culminated in the killing of Ioannis

Kapodistrias. The new monarchy could not afford to maintain such an imported force for more than a few years, and to take its place Athens built a conscript army. Although the alien legal system imposed by the monarchy failed to function properly in most respects, it did prosecute with vigour those charged with evasion of conscription. Once conscripted, recruits were subjected to training and service that emphasised the concept and importance of the nation.¹⁶

Both enforcement of regime security and the training of conscripts in 'national service' required policy reasons for the burdens that these tasks placed upon the population, and many post-Ottoman regimes developed a policy of irredentism that legitimated the human and material expense of the military. The forms of nationalism adopted in most countries were naturally expansive, in that they identified the human borders of the community so broadly that populations outside the boundaries of these new countries were judged to be 'unredeemed' parts of the nation. Turkey was the most significant anomaly within this pattern, as it did not seek to change most of its borders but rather continued to welcome, as immigrants, Muslims 'left behind' as Ottoman rule had receded in the Balkans. Across much of the Balkans in particular, but also in the post-Ottoman Middle East, nation-building regimes promoted a vision of liberating the unredeemed parts of the nation, with the military playing a central part in the dream.¹⁷ Again Greece led the way by developing the Megali Idea in the 1840s. This 'Great Idea' identified much of the Ottoman Orthodox population as parts of the nation still to be liberated. The Megali Idea and its cognates in Serbia, Bulgaria and Iraq also served another purpose: to legitimise participation in national politics by aspiring leaders who were not native to the nation state. This domestic political aspect tended to limit the zeal with which regimes tried to implement plans for liberating the unredeemed, which in turn promoted often violent interference in politics by eager nation-builders in the army.

Nation-building through the army worked in tandem with educational systems designed to instil national values in the young. School curricula were designed to teach students the nation's language (each early post-Ottoman regime gave high priority to teaching students a largely artificial national language that had been cleansed of the 'corruptions' inherited from the Ottoman period) and history (similarly cleansed of non-national inconveniences). The Greek monarchy introduced compulsory primary schooling in 1834, a basic purpose of which was to teach the artificial *Katharevousa* as the new national language.¹⁸ Whereas Greece established a pattern for the Balkans, Iraq performed a similar function for the Arab Mashriq. King Faysal's director-general of education, Sati'al-Husri, mandated that schools teach formal Arabic, to be used also in conversation instead of the colloquial, and history, but only as it related to the Arab nation and Iraq's place in it, requiring, for example, that students learn about German unification to build the idea that Iraq was to be the Prussia of the Arabs.¹⁹ In Turkey, where the authoritarian post-Ottoman state inherited some of the powerful administrative infrastructure of the empire, nation-building took place not only in the classroom, where students learned 'reformed' Turkish and the intensely nationalist view of history encapsulated in the Turkish History

Thesis, but also in public venues around the country. Even the popular Karagöz shadow theatre was conscripted into the nation-building programme.²⁰

Almost needless to say, none of the nation-building measures built upon any meaningful inheritance from the Ottoman Empire. Indeed, the very idea of ethno-nationalism had been alien to the empire's principles and practices. The religious hierarchies in the empire had never been the agents of liberation, and the death of the empire had also brought the effective demise of those institutions. Unlike the post-Ottoman armed forces, which had clearly political purposes, including educating conscripts about their duty to the nation, the Ottoman military, at least until 1908, had been of necessity a highly functional institution. It was judged useful only insofar as it had combat effectiveness, which may well explain its much more limited involvement in politics until the 1908 'constitutional revolution' than that of almost any post-Ottoman army. The late imperial education system had trained students to be, and to consider themselves to be, loyal Ottomans, not members of any distinct ethnic or other subset of the population. Across the former territories of the empire the nation was an innovation produced by post-Ottoman states.

Conclusion

It was once accepted wisdom among historians of the early empire that continuities of Byzantine practice made the Ottoman state 'Byzance après Byzance'; such a conceit, that everything that made 'the Turks' strong was invented by 'the Greeks', was effectively discounted by later scholars. Much the same should happen with the notion that the post-Ottoman political order was a natural product of the empire and that the weaknesses of 'successor' states resulted from flaws embedded in society by centuries of 'Turkish' domination. The post-Ottoman political order was European, not Ottoman. Most new leaders came from Christian Europe or were placed in their positions by the great powers; the states they oversaw were modelled on western European institutions, laws and practices, and the nations that they worked so assiduously to construct were first imagined in European capitals. Even the Republic of Turkey, the country that did recycle some Ottoman elements in building the nation state, marked a sharp change from the empire's ways. Insofar as any discussion of 'imperial legacies' in the politics of the modern Balkans and Middle East can be justified, therefore, it should treat the effects of the British, French, Russian and Austro-Hungarian empires that exercised such influence over the lands carved out of Ottoman domains.

Notes

- 1 Wayne Vucinich, *The Ottoman Empire: Its Record and Legacy* (Princeton: D. van Nostrand, 1965), p. 120; Matthew Mayer, 'The Eastern Question Unresolved: Europe, the US, and the Western Balkans', *International Journal* 60/1 (2004): p. 244; Alina Mungiu-Pippidi, 'Failed Institutional Transfer? Constraints on the Political Modernization of the Balkans',

- in Wim van Meurs and Alina Mungiu-Pippidi (eds.), *Ottomans into Europeans: State and Institution-Building in South Eastern Europe* (London: Hurst, 2010), pp. 68–69.
- 2 Notably L. Carl Brown (ed.), *Imperial Legacy: The Ottoman Imprint on the Balkans and the Middle East* (New York: Columbia University Press, 1996); on the big state tradition, see the chapter by Ergun Özbudun, 'The Continuing Ottoman Legacy and the State Tradition in the Middle East', pp. 133–157. Most legacy or heritage studies focus more narrowly upon Turkey. See, for example, Erik Zürcher, 'The Ottoman Legacy of the Turkish Republic: An Attempt at a New Periodization', *Die Welt des Islams* 32 (1992): pp. 237–253, Bernard Lewis, 'The Ottoman Empire and Its Aftermath', *Journal of Contemporary History* 15 (1980): pp. 27–36, and Selim Deringil, 'The Ottoman Roots of Kemalist Nationalism: From Namık Kemal to Mustafa Kemal', *European History Quarterly* 23 (1993): pp. 165–191.
 - 3 William McGrew, *Land and Revolution in Modern Greece, 1800–1881: The Transition in the Tenure and Exploitation of Land from Ottoman Rule to Independence* (Kent, OH: Kent State University Press, 1985), pp. 97–104; Dimitar Bechev, 'The State and Local Authorities in the Balkans, 1804–1939', in van Meurs and Mungiu-Pippidi (eds.), *Ottomans into Europeans*, p. 144.
 - 4 McGrew, *Land and Revolution*, pp. 99–102 and 215; Paschalis Kitromilides, "'Imagined Communities" and the Origins of the National Question in the Balkans', in Martin Blinkhorn and Thanos Veremis (eds.), *Modern Greece: Nationalism and Nationality* (Athens: ELIAMEP, 1990), pp. 164–165. The monarchy's Bavarian-designed legal system particularly deplored local custom, and Ottoman-era land law was a prime example of a field of law that was misinterpreted to great and long-lasting ill effect.
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 - 6 Ruth Miller, *Legislating Authority: Sin and Crime in the Ottoman Empire and Turkey* (New York: Routledge, 2005), pp. 108–109.
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- 12 William Ochsenwald, 'Ironie Origins: Arab Nationalism in the Hijaz, 1882–1914', in Khalidi *et al.* (eds.), *Origins of Arab Nationalism*, p. 190.
 - 13 On these and other, mainly Muslim, uprisings of the period, see Frederick Anscombe, 'The Balkan Revolutionary Age', *The Journal of Modern History* 84 (2012): pp. 572–606. For a rare recognition that nationalism played no recognisable role in these revolts, see Ellen Comisso, 'Empires as Prisons of Nations versus Empires as Political Opportunity Structures: An Exploration of the Role of Nationalism in Imperial Dissolutions in Europe', in Joseph W. Esherick, Hasan Kayali and Eric Van Young (eds.), *Empire to Nation* (Lanham, MD, 2006), pp. 155–159. Comisso notes (p. 165, n. 43) that the seven subsequent uprisings faced by Miloš Obrenović have, by contrast, naturally never been labelled as nationalist. Much the same can be said of Greece, where the independent kingdom suffered fourteen revolts between 1833 and 1852. Victor Roudometof, 'Invented Traditions, Symbolic Boundaries, and National Identity in Southeastern Europe: Greece and Serbia in Comparative Historical Perspective (1830–1880)', *East European Quarterly* 32 (1998): p. 433.
 - 14 Richard Millman, 'The Bulgarian Massacres Reconsidered', *Slavonic and East European Review* 58 (1980): pp. 218–231.
 - 15 Mary Wilson, 'The Hashemites, the Arab Revolt, and Arab Nationalism', in Khalidi *et al.* (eds.), *Origins of Arab Nationalism*, pp. 213–4.
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 - 17 Hashimite Iraq, the early champion of Arab nationalism, was the most obviously expansionist regime, but Egypt also agitated vigorously for control over Sudan.
 - 18 Kitromilides, 'Imagined Communities', pp. 163–164; Roudometof, 'Invented Traditions', p. 441.
 - 19 William Cleveland, *The Making of an Arab Nationalist: Ottomanism and Arabism in the Life and Thought of Sati' al-Husri* (Princeton: Princeton University Press, 1971), pp. 116–148; Michael Eppel, 'The Elite, the Effendiya, and the Growth of Nationalism and Pan-Arabism in Hashemite Iraq, 1921–58', *International Journal of Middle East Studies* 30 (1998): pp. 233–234.
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Part IV

Empire and region / region and empire

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9 Regional impact of the Ottoman Empire in Greece

Archaeological perspectives

John Bintliff

It is still difficult to evaluate the Ottoman era in the Balkans, where memories are remarkably strong about the final phase of nationalistic struggles, mutual massacres and heroic acts. For the general public and even many academics, knowledge of the preceding era from the fourteenth to the seventeenth centuries is almost non-existent, and the vast majority of Ottoman monuments have been destroyed or lie as neglected ruins with little or no indication of their cultural context. Nonetheless, there are encouraging signs of wider enlightenment about the true nature and complexity of this period of nearly 600 years, in part due to a general rapprochement between Greece, and even more the North Balkan lands, and the Turkish state. Documentaries (such as the prime-time television series *1821*, made by the enterprising Greek independent film company *Anemon*) dare to debate the pros and cons of Ottoman rule and to present a more balanced view by consulting historical and archaeological specialists. In Europe as a whole, however, awareness of the Ottoman Empire and its complex history or cultural achievements is largely absent, unless enterprising tourists make their way to Istanbul with an open, enquiring mind as to what they will find there.

This disinterest is a relatively recent phenomenon born of Early Modern politics. In the heyday of the Ottoman Empire, Western nations were largely admiring of the culture and administrative efficiency of the Ottomans, as well as in awe of their massive fighting machine. Iznik tiles and tableware and fine carpets from the empire found their way westwards,¹ as did scientific advances such as inoculation for smallpox.²

For the sceptics of such a revisionist view there is now widespread evidence of both the great flourishing and subsequent decline of Ottoman society in the Balkans as well as elsewhere. Ottoman tax records in Boeotia, for example, consistently demonstrate a population collapse and rural depopulation in the final pre-Ottoman fourteenth century.³ This was followed by some 150 years of remarkable growth and recovery, due in part to the planned recolonisation of the countryside by invited Albanian populations, but at least as much through vastly improved conditions created by the stable Pax Ottomanica from the late fifteenth to early seventeenth centuries; indigenous Greek populations, both rural and urban, show exactly the same upward trend. An identical scenario is evident in the tax records or *defters* for other regions of Greece, such as Attica.⁴

Both popular opinion and even some historians have questioned the accuracy of the Ottoman tax records. Indeed, with the decline of the imperial administration from the seventeenth century and the delegation of more and more powers to local dignitaries, Ottoman textual specialists have recognised an increasing reduction in precise information in the later *cizye* tax records and the need to adjust for missing or simply misleading information.⁵ Yet there is little reason to doubt the general authenticity of the village and town figures provided in the period to 1600 AD, and it has proved possible to make independent checks through the archaeological survey of a number of villages listed and catalogued in these archives. One such, Panaya in Central Boeotia, was clearly a major settlement of some 1000 inhabitants with a few outlying farms and hamlets, exactly matching the tax sources over several assessments.⁶ Imports from Italy and Anatolia, and the construction of two monasteries and ten impressive watermills, complete the picture of a rural community prospering under the tolerant, low-tax regime of the Early Ottoman Empire.

Combining archaeology and historical sources in the same landscape also encourages us to answer more ambitious and intriguing questions. The last preceding period of an extremely flourishing society in Central Greece was that of Classical–Early Hellenistic Greece, c. 500–200 BC. How dense was population in these two eras, so widely separated in time? While the Ottoman *defters* had a genuine total assessment of population and economic production as their aim, our Classical sources are far more indirect, though they can be supported through various historical and archaeological approaches.⁷ A first attempt at this comparison is shown in the following chart:

Regional Population for the Central Greek Province of Boeotia (ca. 2580 sq. km)

Population around High Classical times c. 400 BC:

165,000

Population in Early Ottoman times c. 1570 AD:

40,000

Population in 1981 AD:

125,849

In fact we have argued on the Boeotia Project that the Classical level of population was actually well beyond ecological sustainability, one of the major reasons why it is followed by a marked crash from Late Hellenistic times well into the Middle Roman Imperial period.⁸ The recent high-figure population density has been significantly assisted by the mechanisation of farming, the introduction of chemical fertilisers, increased opportunities for commercial marketing and substantial national and foreign aid to the rural economy of Greece. One might suggest that the sixteenth-century Ottoman florescence figure is closer to a safe density at the regional level.⁹

However, this positive result has to be set against the negative fact that the inheritance of the immediately pre-Ottoman period produced long-term problems for some villages. The rural landscape was virtually emptied in the fourteenth century as a result of the Black Death, exacerbated by Turkish pirate raids and perpetual warfare between various Frankish forces, the Byzantines and the Ottoman army. The surviving Greek inhabitants took refuge in a small number of refugee settlements and towns, mostly in remoter hilly areas.¹⁰ Compared with the subsequent sea of small Albanian colonist settlements, most of which held a mere 150 or fewer occupants, these tended to be much larger in size. With the Early Ottoman recovery of population and economy, both Greek and Albanian villages grew at the same rate, but the refugee villages were often much larger to begin with. By the end of the sixteenth century, while overall regional populations were at a level well below 'carrying capacity' of the land's resources, some of these larger settlements – such as Panaya, mentioned earlier – were at levels that strained local subsistence potential. The village of Panaya is more extensive than its Classical predecessor Askra, although lacking the dense network of satellite rural farms and hamlets which we have discovered for the Classical period.¹¹

From the seventeenth into the late nineteenth century the Ottoman Empire went into a slow decline, with measurable effects in its provinces. The tax records for Greece clearly record severe depopulation. Panaya shrank to one third of its size, was broken up into some dozen serf-estates or *çiftlik*s and was relocated to its present location (the village now renamed Askra). In general, the administration of the Ottoman state became weak, and in the provinces elite landlords (*ayans*) took over peasant villages. The Greek mainland rural communities became typified by these semi-feudal properties, whilst the estate-owner's home revived the medieval mainland tradition of tower-houses. Population collapsed due to political and economic change, warfare and piracy and climatic decline (the 'Little Ice Age'). The *çiftlik* estates gave little scope for peasant wealth accumulation; they were run to create profits for the landlords through commercial sales of agricultural surpluses at home and increasingly abroad.

Archaeologically we have been able to study two deserted *çiftlik* villages in Boeotia (Harmena and Guinosati.) At both sites a tower-house for the estate-owner or supervisor overlooks simple one-storey longhouses for the labouring peasantry.¹² It is clear that for large areas of lowland mainland Greece such longhouses with minimal furnishings and material culture formed the characteristic home for the Greek peasantry up until the 1950s.¹³

This is not to say that Ottoman central administration and provincial life within the empire was in utter disarray. The Western states suffered major Ottoman campaigns against them in the seventeenth century on Crete and to the walls of Vienna, showing that Ottoman military power was not to be dismissed (a fact neglected again during the First World War, leading to the disastrous Allied campaign in Gallipoli). Moreover, even if the total population and economic production of the Ottoman world was in decline, enough was left to create high

points of artistic magnificence, as the mosques and other public monuments of Istanbul from the seventeenth to nineteenth centuries well demonstrate. Locally this can be seen in the continuing construction of major monuments in the provinces – one such now exist only in the Ottoman archives and in a remarkable Orthodox icon in Thebes Cathedral, where John the Baptist in the foreground is backed by a fairly accurate view of the town of Thebes, with a splendid mosque of 1663–8 imitating Imperial mosques in the capital.¹⁴

The overall trend, however, was the impoverishment of the Greek peasantry of mainland Greece, the object of increasing comment from Western travellers. This decline went hand in hand with two clear economic developments. First, the class of landlords who benefitted from the serf-estates was able to construct lavish rural and urban mansions (*archontika*) for themselves. Some of these still survive in northern Greece due to the late transfer of this region to the Greek state and to the lack of major destruction which accompanied the Greek War of Independence in the South.¹⁵

Second, the increasing role of commercial trade both within the empire and beyond, not least to the West, and the use of formal ties to Western states which gave special status to Greek businessmen operating on behalf of Western interests (*berats*), stimulated the rise of a wealthy Greek merchant class both on land and sea. Their incomes allowed them, too, to build elaborate town and village homes. We can still see such famous mansions today in the once rich textile villages of Mount Pelion in Thessaly.¹⁶ Both Turkish and Greek mansions favoured the style of the dominant political class – the Ottoman International Style – in building design and interior furnishings, including separate quarters for women even in some non-Muslim homes (the *haremlik*).

There are also traces of Ottoman-era investment in bridges,¹⁷ watermills and aqueducts,¹⁸ paved roads with a network of travellers' hostels (*khans*)¹⁹ and castles.²⁰

As already noted, the different times at which the lands of Modern Greece passed out of Ottoman hands into the Greek state led to diverse fates for the Ottoman townscape and rural landscape.²¹ Almost one hundred years separated the liberation of southern mainland Greece and the last additions in Thrace. Much of the later transfers passed without immense bombardment and fire destruction, and occurred under less culturally aggressive conditions. Thus the towns of northern Greece preserve large areas of pre-independence housing and even occasionally public buildings, such as with the old town, the hammam and the bedestan in Thessaloniki; here public attitudes have favoured their conservation and display.

In the southern mainland the bitter Independence War of the 1820s caused both massive urban demolition and a subsequent destructive policy of the young Greek state to all material elements of the Ottoman past. The Acropolis was cleansed of its Ottoman village and the mosque built into the Parthenon, and a new Western- and Greek Classical-orientated building style – Neoclassical – was adopted for the houses of wealthy townsfolk and the rural middle classes.

Notes

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- 2 Isobel Grundy, *Lady Mary Wortley Montagu: Comet of the Enlightenment* (Oxford, 1999).
- 3 John Bintliff, 'The Two Transitions: Current Research on the Origins of the Traditional Village in Central Greece', in John Bintliff and Helena Hamerow (eds.), *Europe Between Late Antiquity and the Middle Ages. Recent Archaeological and Historical Research in Western and Southern Europe* (Oxford, 1995), pp. 111–130; Bintliff, 'Considerations'; Bintliff, *The Complete Archaeology of Greece, from Hunter-Gatherers to the Twentieth Century AD* (Oxford and New York, 2012), chapter 20, pp. 436–458; John Bintliff, et al. 'Deconstructing "The Sense of Place"? Settlement Systems, Field Survey, and the Historic Record: A Case-Study from Central Greece', *Proceedings of the Prehistoric Society* 66 (2000): pp. 123–149; and Machiel Kiel, 'The Rise and Decline of Turkish Boeotia, 15th–19th century', in John Bintliff (ed.), *Recent Developments in the History and Archaeology of Central Greece* (Oxford, 1997), pp. 315–358.
- 4 Machiel Kiel, 'Population Growth and Food Production in 16th Century Athens and Attica According to the Ottoman Tahrir Defters', in Jean-Louis Bacqué-Grammont and Emeri van Donzel (eds.), *Proceedings of the VIth Cambridge CIEPO Symposium* (Istanbul, Paris and Leiden, 1987), pp. 115–133.
- 5 Kiel, 'The Rise and Decline of Turkish Boeotia'.
- 6 Joanita Vroom, 'Medieval and Post-Medieval Pottery from a Site in Boeotia: A Case Study Example of Post-Classical Archaeology in Greece', *Annual of the British School at Athens* 92 (1999): pp. 513–546; and Bintliff, et al. 'Deconstructing "The Sense of Place"'.
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- 8 John Bintliff and Anthony Snodgrass, 'The Cambridge/Bradford Boeotian Expedition: The First Four Years', *Journal of Field Archaeology* 12 (1985): pp. 123–161; and John Bintliff, Phil Howard and Anthony Snodgrass (eds.), *Testing the Hinterland: The Work of the Boeotia Survey (1989–1991) in the Southern Approaches to the City of Thespiai* (Cambridge, 2007).
- 9 John Bintliff, 'Explorations in Boeotian Population History', in Philip Smith (ed.), *Festschrift for J.M. Fossey, The Ancient World* 36(1) (2005): pp. 5–17.
- 10 Bintliff, 'The Two Transitions', pp. 111–130.
- 11 John Bintliff, 'The Archaeological Survey of the Valley of the Muses and Its Significance for Boeotian History', in Andre Hurst and Albert Schachter (eds.), *La Montagne des Muses* (Geneva, 1996), pp. 193–224.
- 12 Bintliff, *The Complete Archaeology of Greece*, pp. 467–472; and Athanasios Vionis, 'The Archaeology of Ottoman Villages in Central Greece: Ceramics, Housing and Everyday Life in Post-Medieval Boeotia', in Armağan Erkanal-Oktu, Engin Özgen, Sevinç Günel et al. (eds.), *Studies in Honour of Hayat Erkanal: Cultural Reflections* (Istanbul, 2006), pp. 784–800.
- 13 Eleftherios Sigalos, *Housing in Medieval and Post-Medieval Greece* (Oxford, 2004): 'the Agricultural Style'.
- 14 Machiel Kiel, 'The Icon and the Mosque: Orthodox Christian Art as a Source to Retrieve the Lost Monuments of Ottoman Architecture of Southern Greece: The Case of Istife/Thebes', in Çiğdem Kafescioglu and Lucienne Thys-Senocak (eds.), *Aptullah Kuran için yazılar/Essays in Honor of Aptullah Kuran* (Istanbul, 1999), pp. 223–232.
- 15 Sigalos, *Housing in Medieval and Post-Medieval Greece*.
- 16 Georgios Kizis, *Pilioreitiki Oikodomia* (Athens, 1994).

- 17 Cf. Machiel Kiel, 'Das Türkische Thessalien', *Abhandlungen der Akademie der Wissenschaften in Goettingen. Philologisch-Historische Klasse*, Dritte Folge no. 212 (1996): pp. 109–196.
- 18 Spiros Mouzakis, *Myloi ke Diamorphosi Pheoudarchikou Diakaiou sti Ditiki, Byzantini ke Othomaniki Oikonomia ke Koinonia* (Athens, 2008).
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- 20 Fariba Zarinebaf-Shahr, F. J. Bennet, et al., *A Historical and Economic Geography of Ottoman Greece: The Southwestern Morea in the 18th Century* (Athens, 2005).
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10 Imperial impacts, regional diversities and local responses

Island identities as reflected on Byzantine Naxos

Athanasios K. Vionis

As a geographically integral region under the influence of imperial expansion, from the Roman and Byzantine Empires to Venetian and Ottoman domination, the Cyclades (Figure 10.1) unavoidably experienced political, social and cultural realities ‘imposed’ directly or indirectly by the centre. Assessing the degree of imperial impact, contact and cross-cultural interaction between the imperial centre and the periphery in an attempt to recognise and evaluate the formation of local or regional identities, however, remains a relatively unexplored and delicate issue, despite the popularity of the topic of imperial power dynamics over the past decade.¹

No clear boundaries can be drawn between the Byzantine- (fifth to early thirteenth centuries), Venetian- (early thirteenth to middle sixteenth centuries) and Ottoman-dominated (late sixteenth to early nineteenth centuries) Cyclades. Although today they are regarded as a uniform island -group, each Cycladic island retained its distinctiveness and their inhabitants their accent, dress code and historical fate. Despite their insularity and individuality, the Cyclades shared common experiences and characteristics. During the Byzantine and later periods, Constantinople/Istanbul functioned as the political, administrative, economic and cultural centre of the Byzantine and Ottoman Empires respectively, and nearly all Aegean islands were orientated towards this ‘Hellenic-spirited’ capital.² It is highly possible that the Cyclades were part of the Karabesianoï from the late seventh century³ and remained under Byzantine control (with short periods of ambiguity) for almost five centuries, until they formed the Latin Duchy of Naxos or the Duchy of the *Archipelago* under Marco I Sanudo in 1207.⁴ The islands remained under Latin rule until 1566, when they were incorporated into the Ottoman Empire.⁵ Successive Ottoman sultans granted the islanders special privileges, and as a result community organisation and self-administration developed there more than in any other part of present-day Greece.⁶

The geographical distinction between ‘mainland Greece’ and the ‘Aegean islands’ or between islands and island-groups did not necessarily exist in the mentality of medieval islanders, since political boundaries kept changing over time. Larger islands such as Naxos and Paros, for instance, were important city-states during the Classical period, whereas they were perceived as islands of little



Figure 10.1 Map of the Cyclades and the Aegean Sea with place-names mentioned in the text. (Map by the author)

significance within the vast Byzantine or Ottoman Empire. Nearly all imperial or colonial powers (to a greater or lesser extent) left their mark on the island landscapes and townscapes, visual art and material culture.⁷ It is within such ‘peripheral’ or ‘buffer’ zones⁸ that this chapter aims to examine the dynamics, responses and identities of insular communities within their individual local and historical contexts. In other words, how much were the insular identities of the Cyclades affected by the Byzantine and Latin centres and to what degree were they integrated into imperial constructs? How far did insularity influence the historical development of island communities and to what extent did

interregional and cross-cultural contacts shape local identities? As will become clear through the material evidence presented in this chapter, Naxos in this 'marginal zone' in the Aegean, with no obvious direct relations with the successive centres of imperial power, became a zone of cross-cultural interaction rather than a cultural barrier between antagonistic empires (e.g. Byzantines and Arabs, Latins and Byzantines, Ottomans and Latins).⁹ Aspects of material culture, such as buildings, artefacts, the visual arts and settled landscapes on Naxos illustrated the negotiation of cultural identities in a multicultural and multi-ethnic local environment.

Insular and imperial dynamics

The Mediterranean seascape comprises islands that are regarded as a 'coherent human environment' and a vital element of maritime networks of communication.¹⁰ Reference to the Aegean Sea in the Ottoman period as 'Adalar Denizi' or 'Sea of Islands' illustrates this point best.¹¹ Archaeologists dealing with the prehistoric and ancient past of the Aegean 'islandscape' have emphasised the need to approach issues of insular marginality, colonisation and interaction in accordance with a more holistic or more 'flexible approach'.¹² The concept of island insularity can indeed be examined both as a world of isolation and as one of integration; that is, both as environments separated and bordered by sea in the Braudelian sense of the word, and as 'stepping stones' of interregional and intercultural contact between neighbouring lands and empires.¹³ The definition of 'isolation' may have been experienced differently between islands, although it is doubtful that complete isolation was ever felt in the Aegean Sea.¹⁴ Islands were perceived as places of remoteness in Byzantine mentality, according to Elisabeth Malamut.¹⁵ It is interesting to note that larger islands, such as Euboea, Chios, Naxos, Crete, Rhodes and Cyprus, played a key role in the expansion of colonial and imperial power during the Byzantine, Crusader and Ottoman periods. The formation of, at a minimum, religious identities can be read through the distinctive architectural stamp left by successive powers and empires. Crete, for example, was chosen by the Arabs as their Aegean base of operations. Rhodes prospered by becoming one of the main ports of Aegean commerce under the Hospitaller Knights of St. John. The history of contemporary Judaism might have been different if Naxos had eventually housed the Jewish Diaspora in the sixteenth century, according to Joseph Nasi's plan.¹⁶

Limitations posed by natural forces, such as the strong northern winds during the winter season, would normally have resulted in a periodical isolation of island communities and would have disrupted sea communications for short periods of time.¹⁷ Sea lanes, suitable island ports and re-victualing stations were known to Byzantines travelling or carrying out interregional and international trade across the Aegean and the Eastern Mediterranean, while the duration of the journey and its in-between stations always depended on the captain's experience and the vessel's final destination.¹⁸ On her voyage to

the Holy Land in the fourth century, St. Paula stopped at Methone and sailed through the Cyclades.¹⁹ The Cyclades provided crews for the Karabesianoi fleet, while Keos and Syros functioned as naval bases in the seventh century.²⁰ According to Ioannis Kaminiates, the Arab fleet sailed through the Cyclades after the capture of Thessalonike in 904.²¹ Niketas Magistros was forced by headwinds to put in at Paros on his mission to the Arab rulers of Crete in 910.²² It becomes obvious that even in times of stress and unstable conditions in the Aegean Sea, textual references construct a story of connectivity and mobility of people as well as of ideas. This will become more evident by the supporting material evidence presented later on in this chapter.²³

Islands, especially those in the Aegean Sea, are reported to have suffered hostile enemy attacks from the sea on repeated occasions. The Arabs are said to have ravaged the Aegean Sea throughout the seventh, eighth and ninth centuries in their attempts to expand their empire along the Mediterranean coasts. The Latins conquered the islands in the early thirteenth century in order to establish a colonial and commercial empire and to control maritime routes. Memories about the more recent Ottoman past are usually depicted in the darkest of colours. Islands, however, could also be perceived as territories of 'safety', away from the centre and the oppression of empires.²⁴ Michael Choniates chose the island of Keos as his place of self-exile and retreat in the early thirteenth century, close enough to Attica for him to supervise the affairs of his diocese but at the same time far enough for him to continue his education without the intrusion of political affairs raised by the centre.²⁵ Specific Aegean islands were reserved by the Byzantine authority as the destination par excellence for political exiles from the eighth to the twelfth centuries, namely Samothrace, Thasos, Lesbos, Rhodes, Tenedos, Chios, Samos and Kos.²⁶ According to Christie Constantakopoulou, lack of any reference to the Cyclades in this list of prison islands serves as evidence for the supposition that the Cyclades acted as 'the frontier between the Arab threat and the world of Byzantine sovereignty, and did not fit exactly the profile of islands under central control'.²⁷

As already noted, much scholarly attention has recently focused on ancient empires and the distinction between empires, imperialism and states. Contemporary scholarship has approached the study of modern 'empires' in relation to the Roman world because the British Empire, the United States and even the Soviet Union struggled for comparable ideals: supremacy in world politics and dominance in economic and military affairs.²⁸ The meaning and characteristics of empires, as metropolitan territories with a multi-ethnic dimension, are different to notions of imperialism, the study of which should move beyond its 'monolithic' definition and include issues of imperial integration and interaction outside an empire's political or physical boundaries.²⁹ The Byzantine Empire was more of a 'state' and never the result of a new imperial creation, having comprised the continuation of the classical Roman Empire and having experienced cross-cultural interaction with neighbouring regions and empires.³⁰ The Latin presence in the previously Byzantine Aegean during the Late Middle Ages

was a rather different and more restricted situation, when Venetian-dominated regions became more of a colony than a province, with limited installations of colonists' settlements and imported cultural and political forms.³¹ The Ottoman Empire, on the other hand, although a highly centralised power, introduced a new network of centre-periphery relations based on tax farming and the emergence of local elites, while also allowing the expression of local religious and cultural identities.³²

Although the Byzantine Empire only occasionally acquired imperial or expansionist characteristics, it remained (along with the Roman Empire) one of the few successful states that managed to impose its own ideological and cultural values.³³ By what means, though, were these ideological identities formed, and how is this 'conversion' detectable in the peripheral zones of any empire in the Aegean, about which textual references are generally silent? It is true that local societies within the Byzantine, Latin or Ottoman commonwealth usually welcomed the new conqueror as a result of animosity towards their prior imperial power. The material culture record mirrors this process of reaction, accommodation, translation or adaptation to new imperial regimes, and provides ample evidence for the formation of local or regional diversities and identities.

The early Byzantine era (fifth to middle seventh centuries)

Before opening the discussion of imperial impacts and regional identities in the Cyclades, as demonstrated by the landscape and the material culture of the region in the Byzantine and Latin/Venetian eras, it is essential that we establish the existing local context as it stood by the middle seventh century. The Cyclades remained participants in the cultural *koine* of the Eastern Mediterranean, largely retaining traditions that were present in the Aegean prior to the arrival of the Arabs. The period between the fifth and middle seventh centuries was a time of relative prosperity and stability for most of the Cyclades, with coastal settlements functioning as processing and exporting centres. The same level of settlement affluence, and agricultural and economic prosperity, has also been noted in other regions of the Aegean.³⁴ Archaeological survey work on the islands has shown that most settlement sites of the period were located close to the coast, and their centres were focused on a nearby basilica church.³⁵ The Cyclades acted as island supplier stations of commercial importance within the Eastern Roman Empire for vessels following the route from Spain and Italy to Constantinople and the Syro-Palestinian coast, through Sicily, the Ionian Sea, the Cyclades and finally Cyprus. Part of the population resided in villages and small settlements scattered in the countryside, while large communities also lived in flourishing maritime market towns with access to regional and international trade.³⁶

Plentiful material evidence for settlement continuity and interregional and international trade,³⁷ as well as a well-organised Church administration,³⁸

all testify to control by the imperial administration and transregional links between the Constantinopolitan centre and the islands. At the same time, evidence from ecclesiastical architecture of this period, such as the Naxiot three-aisled barrel-vaulted basilicas of the 'Eastern type' with pilasters instead of columns (separating the aisles), point to strong architectural connections with Asia Minor, Crete and Cyprus, instead of Constantinople and Mainland Greece.³⁹ Certain details in the decorative programme of some of those churches, however, can be viewed as a visual expression of serious ongoing debates about the natures, energy and wills of Christ that preoccupied the ecclesiastical circles of the time at Constantinople. The double portrait of Christ (depicting Him both as a young and mature man) painted on the dome of the church of Drosiani in Naxos, for instance, has been dated to the seventh century. It is said to echo the local awareness and response to monothelitism.⁴⁰ The same monument preserves another iconographic reference to contemporary theological issues. On the northern conch of the church (Figure 10.2), the image of standing Christ in the composition of the Deisis is flanked by the Virgin Mary and King Solomon on His right, and a female saint (identified as the personification of 'the Church')⁴¹ and John the Baptist on His left, while the Virgin Nikopoios is painted on the semi-dome over the conch.⁴² By reversing the hierarchy of the iconography (the Virgin is depicted over the image of Christ) and by associating Christ in the composition of the Deisis with human figures (Mary, Solomon, the personification of 'the Church' and John), equal emphasis is placed on the Saviour's human nature.⁴³ The inscription by the Virgin mentioning Hagia Maria (ΑΓΙΑ ΜΑΡΙΑ) is perhaps another indirect reference to monophysitism, although 'Santa Maria' was a common reference to the Virgin Mary in Western iconography.⁴⁴ Furthermore, overall stylistic details in fresco painting on the island in the seventh century seem to follow a rather 'archaic' or classicising artistic trend, which imbue this religious art with a certain degree of regionalism.

The archaeological evidence and samples of religious architecture and art on the island in Late Antiquity point towards an intriguing phenomenon: the constant commercial/economic and spiritual contact between Naxos and the imperial centre – as well as other peripheral or island zones – on the one hand, and the formation of a distinctive 'island' artistic character (or the formation of a local 'School' in art and architecture) on the other. Although there is no fixed line between *style*, *identity* and *meaning*, the fact that examples of Early Byzantine monumental painting on the island find parallels in other regions within and outside Constantinople and the Aegean may indicate that island communities remained rather flexible and open to cultural dialogues with regions outside the imperial sphere of influence.

The number of studies on Byzantine sacred landscapes, focusing on the location of churches in relation to agricultural resources, settlement distribution and patterns of sacred and ritual sites, are still limited in number compared to similar studies carried out in Western Europe.⁴⁵ Early Byzantine churches dated



Figure 10.2 The Deisis and Virgin Nikopoios, northern conch of the church of Panagia Drosiani, Naxos. (Photo by the author)

to the sixth and seventh centuries on Naxos, which had the greatest number of Byzantine churches in the Cyclades, are located in the centre of what might have been settlements of some status, as well as in what we could term as suburban territory (i.e. the immediate countryside with arable farming and rough grazing ground). This establishment of churches on the edge of communities or even in difficult-to-reach locations, as in the area of Rachi in the centre of Naxos (Agios Isidoros and Taxiarchis Rachis), acted as boundary churches and gave the community a shared identity linked with their surrounding landscape (Figure 10.3).⁴⁶ As I have argued elsewhere, those basilicas, with no elaborate decorative elements, were not necessarily meant to impress the passer-by or to confirm the already established Christian identity of the local population, but signified a local initiative to emphasise the community's rural territory.⁴⁷ Such religious monuments, whether large or humble in size and decoration, defined the territory of the Byzantine/Christian populations not only in the interior of islands but also

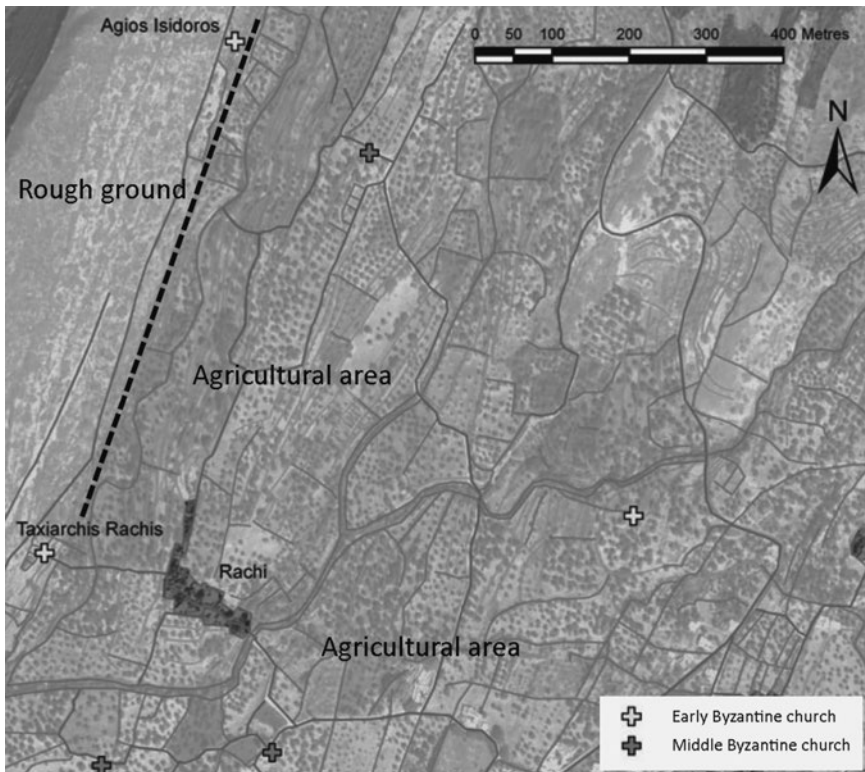


Figure 10.3 The churches of Taxiarchis Rachis and Agios Isidoros on Naxos as 'boundary churches' between rough grazing ground and agricultural zones. (Historic Landscape Characterisation – Includes IKONOS material © 2006, Space Imaging LLC. All rights reserved)

all along their coasts (these were usually dedicated to ‘naval’ saints, e.g. Hagios Phokas, Hagios Nikolaos). As Christian basilicas on the north, southeast and west coasts of Naxos confirm (Figure 10.4), those churches functioned not only as protectors of Christian sailors using sea routes between Constantinople and

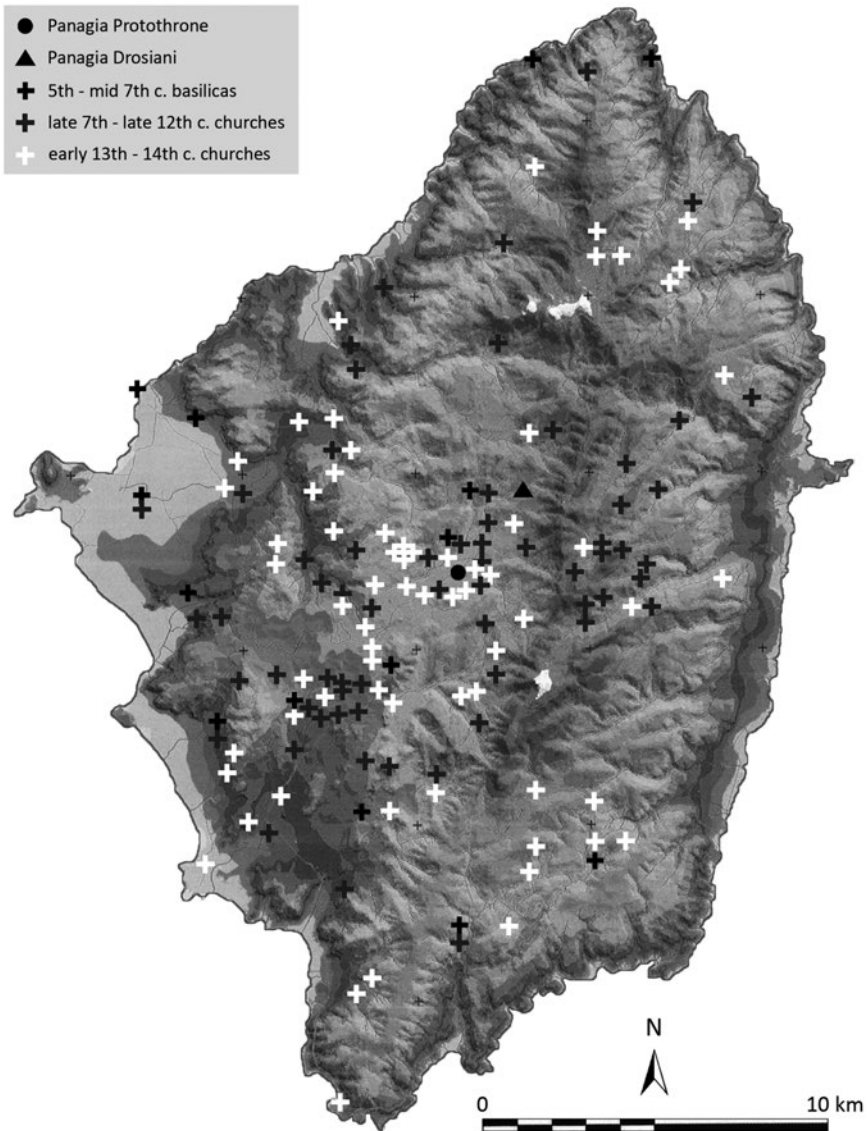


Figure 10.4 Distribution of Early (fifth–mid seventh c.), Middle (late seventh–late twelfth c.) and Late (early thirteenth–fourteenth c.) Byzantine churches on Naxos. (Map and data by the author)

its various zones of cultural influence and economic interaction (and as indicators of the fishing and maritime activities of the island's population), but also as 'guard posts', separating and protecting the islanders from the outside world and safeguarding their strong local identities.

The Byzantine 'early middle ages' (late seventh to early tenth centuries)

The centuries that followed this period of prosperity are rather problematic, as securely dated evidence for religious and secular life in rural areas is rather limited. In a recent attempt to discover archaeologically what life was really like on the Aegean islands throughout the troubled centuries of Arab raids,⁴⁸ a field project was undertaken on the island of Naxos.⁴⁹ The aim of the archaeological survey was to explore whether there are traces of human activity in the territory around humble rural chapels, and to what period or periods that activity could be dated. Some of these chapels preserve aniconic fresco decoration that can be dated to the period after the end of the Iconoclast controversy in the second half of the ninth or early tenth century.⁵⁰ Indeed, pottery fragments (amphorae, table vessels and cooking pots) dated to the late seventh, eighth and ninth centuries were identified around those chapels, which testifies to the existence of small and large settlements associated with the ecclesiastical monuments.⁵¹ Interestingly enough, habitation sites of this period were not merely restricted to the interior of the island but also have been identified close to the coast, a picture that contradicts traditional historical views about the desolation of coastal regions and the retreat of populations towards mountains and island interiors during the Byzantine Early Middle Ages.⁵²

An evaluation of the material culture of this period (i.e. ceramics and numismatic evidence) from Naxos in comparison to other published examples from Constantinople, the Aegean islands, the coasts of Mainland Greece, and Asia Minor, Crete, and Cyprus, reveals another ceramic *koine*⁵³ and testifies to the presence of the Byzantine army in the Aegean and to the existence of a regional network of communication with the imperial centre (Figure 10.5). It is unclear how such a pattern could have emerged if the two antagonistic powers of the period, Arabs and Byzantine islanders, were *not* communicating, compromising or even collaborating in some fashion.⁵⁴ In another island context and on the level of everyday life it is interesting that in Cyprus, during the so-called 'condominium years' in the Byzantine Early Middle Ages, Arabs and Byzantines lived together in peace and harmony in cities such as Paphos and Salamis/Constantia, as witnessed by Willibald, an English pilgrim who visited the island in 723 and paid his respects in the church of St. Epiphany at Salamis/Constantia.⁵⁵

An illuminating piece of information about the state of affairs in the Aegean at that time comes from John Kameniatas, who mentions that in AD 904 Naxos paid taxes to the Muslims of Crete.⁵⁶ It seems that the Arabs had come to stay; they founded their base in the Aegean and were preparing to build a new

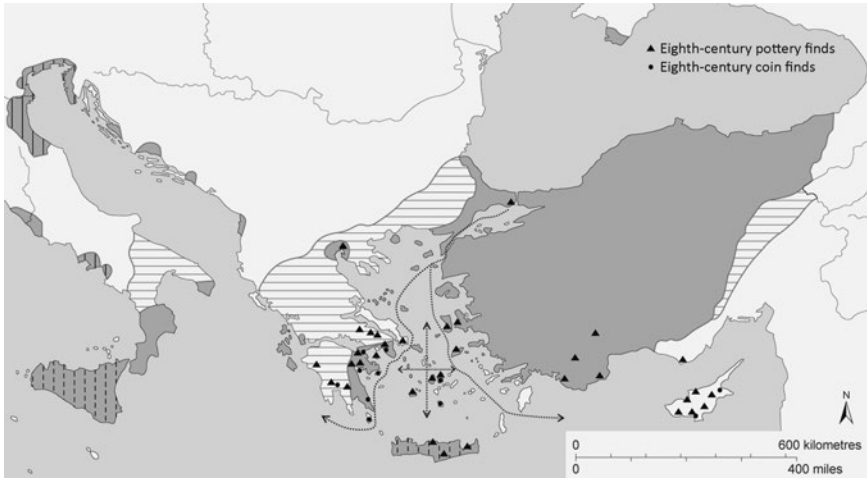


Figure 10.5 Map of the Aegean and the Eastern Mediterranean showing the distribution of eighth-century pottery- and coin-finds. (Map and data by the author)

empire, not solely on raiding, looting and booty, but according to an organised plan. A conqueror would probably not continuously plunder his subjects if he needed to extract taxes from them. The conquered, on the other hand, would need cash to be able to meet their tax obligations. Cash could only be acquired by carrying out a form of interregional trade, by exporting agricultural products and/or other commodities within as well as outside the various zones of the Byzantine Empire. The aforementioned ceramic evidence and pottery *koine* testifies to all that.

The dating and the source of inspiration of the aniconic fresco decoration found in some of the churches on Naxos⁵⁷ has been regarded as problematic, while relatively recent studies have pushed their chronology to the period between the late ninth and first half of the tenth century and have detached their artistic repertoire from the traditional non-figural iconoclastic context.⁵⁸ The artistic influences seem to agree both with Byzantine trends (on the basis of parallels from Byzantine manuscripts of the late ninth and tenth centuries) and Arab influences (such as the birds with ribbons around their necks from Hagia Kyriake Kallonis), which entered the Byzantine decorative repertoire through the medium of textiles. It is noteworthy that Byzantine historiography and hagiographical sources refer to island environments (e.g. the Cyclades and Cyprus) as safe, anti-iconoclastic grounds where iconodules found refuge in times of stress caused by iconoclast *strategoi* and emperors.⁵⁹ Once again, Naxos and the Cyclades can be recognised as belonging to a 'peripheral' or 'buffer' zone between the iconoclast imperial centre and the

'retreat territory' of the littoral Aegean, enjoying a degree of freedom from central state control.

I would argue that the evidence from the material culture from the island, scanty textual references, visual arts and mechanisms supporting contact continuity between Naxos and other regions in the eighth and ninth centuries can only point to two insular responses towards the imperial centre and the newcomers. The first response points to material connectivity and religious affiliation with Constantinople, resulting in maintaining traditional ties with the imperial centre. The second points to an intense encounter with new people and accommodation of new artistic trends from the Arab world, resulting in economic stability, survival and hybrid forms in art. The aforementioned evidence reinforces the argument that the islands acted as the frontier between the Arabs and the world of Byzantine sovereignty (and did not fit exactly the profile of islands under central control), having become a zone of cross-imperial interaction rather than a cultural barrier between antagonistic empires.⁶⁰

The Byzantine 'resurrection' (middle tenth century to c. 1207)

The period that followed the era of transition and transformations has been characterised as a time of great Byzantine accomplishments.⁶¹ The increase of island population and the rise of settlement or resettlement of certain islands signify the beginning of this new era for the region. The Arab geographer al-Idrisi, who travelled among the islands in 1153–4, refers to a network of flourishing, well-populated towns across mainland Greece and on various large and small Aegean islands.⁶² Concentrations of Middle Byzantine surface ceramic finds on the islands of Melos and Keos possibly indicate a dispersed settlement pattern.⁶³ In Middle Byzantine Naxos itself, a great number of new churches (Figure 10.4) signify extensive rural settlement and agricultural intensification.⁶⁴

The ceramic finds from the island of Naxos, as well as from the rest of the Cyclades and other Aegean islands, mainland Greece, southern Italy, Asia Minor, Cyprus and Constantinople, share obvious common features in decorative styles, shape and function.⁶⁵ The limited range of Middle Byzantine amphora types and shapes found in every corner of the Byzantine world testify to the re-establishment and intensification of commercial communication and exchange between Constantinople and the aforementioned regions.⁶⁶ The (admittedly limited) archaeological record for housing of the linear type in the Cyclades and the rest of the Aegean provinces testifies to the rural character of the built space, as expected in areas outside urban centres.⁶⁷ Other aspects of the material culture of both local elites and commoners are hard to trace.

What we are left with are the testimonies of ecclesiastical architecture and monumental painting in churches of the period on Naxos and other Cycladic islands and what these trends might indicate in terms of imperial impacts and

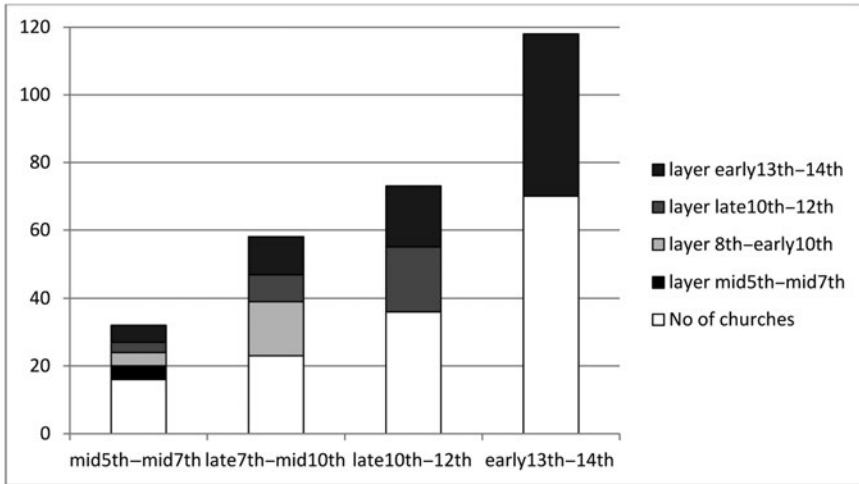


Figure 10.6 Graph showing the number of churches built per period on Naxos and the number of dated and published frescoes. (Graph by the author)

cross-cultural interaction in the Aegean.⁶⁸ Thirty-six new churches were constructed between the middle/late tenth and late twelfth centuries on Naxos, nineteen of them with layers of frescoes of the same period, while another eleven churches of earlier centuries were decorated with new layers of Middle Byzantine fresco painting (Figure 10.6).⁶⁹ The political developments of the period in the Aegean littoral played a crucial role in this. After the reacquisition of Crete in 961 (and later on, Cilicia, Syria, Cyprus and Aleppo)⁷⁰ by the (subsequent) Emperor Nikephoros II Phokas (963–969) and the restoration of an intense seaborne traffic between Constantinople and the Aegean regions (as also illustrated by the aforementioned material culture evidence), the Byzantine central administration invested in the construction of monumental defence outposts, monasteries and churches on several islands⁷¹ in the framework of a revived imperial propaganda for the resurgence of political, economic, ecclesiastical and cultural links with the periphery.

On the island of Naxos itself, the church of Panagia Protothronē preserves an engraved dedicatory inscription dated 1052 that is associated with a group of wall frescoes of the donors Bishop Leo and Protospatharios Niketas Tourmaches of Naxia.⁷² In this period of economic recovery and reorganisation of the Byzantine system of administration it was not uncommon for bishops and local high functionaries to be identified as patrons of such establishments as a means of expressing their initiatives independently from the capital. In the same context, the stylistic details and the overall iconographic programme of such public spaces of cult in the Byzantine provinces of the late tenth and eleventh centuries

exhibit an archaising manner, close to regionalism and conservatism.⁷³ This conservative trend indicates the revival of a long-established trend of religious artistic expression in the Byzantine periphery during the post-Iconoclastic Era. This austere and hierarchical style, of which there are many examples of figurative Middle Byzantine fresco painting in the Byzantine provinces in general and on the Aegean islands in particular, does not necessarily imply a provincial backwardness. Rather, as Karin Skawran⁷⁴ has pointed out, it was 'compliance with the Byzantine revival style of their time', which was first developed in Constantinople itself and heavily relied on pre-Iconoclastic models. Thus, Constantinople acted as the source of inspiration for Naxos and other Aegean islands independently, and metropolitan trends blended with local elements through secular and religious channels of contact.

The blending of artistic and cultural elements on the islands was not restricted to style. Contemporary or novel iconographic trends can also be detected in monumental painting throughout the Byzantine peripheral zones from the late tenth century onwards. There was increased representation of military (equestrian or non-equestrian) saints and armed archangels, transformed into aggressive warriors, prepared to meet the enemies of the empire and to give expression to its Christian identity in the battlefield.⁷⁵ A number of Middle Byzantine frescoes depicting armed archangels and military saints survive in several churches on the island of Naxos.⁷⁶ This artistic phenomenon signifies the need of Christian populations living in the frontiers of the empire and beyond to protect themselves against their 'infidel' persecutors and to express their military and cultural supremacy over Muslim and other neighbours.⁷⁷ In a period when Byzantium recovered some of the provinces lost in previous centuries to the Arabs, the Byzantines found ways to express their 'cultural superiority' and negative impression of Islam through antagonism and, at the same time, through the selective appropriation of Islamic elements into their various forms of art (in ivory, ceramic, metalwork, brickwork, sculpture, textiles, mosaics or even fresco painting, as in the case of the aniconic fresco decoration in several churches of Naxos discussed earlier).⁷⁸

A 'Constantinopolitan White Ware' dish⁷⁹ with polychrome-painted decoration, found at Corinth and published by Charles Morgan (Figure 10.7),⁸⁰ comprises an interesting *comparanda* to the negative perception of Muslims on the part of the Byzantine Christians, and at the same time the fertile artistic dialogue between the two. The dish is dated to the eleventh to early twelfth century⁸¹ and depicts a man in the gesture of *orant*, wearing a blue-green 'Byzantine-style' short tunic and a 'Muslim-like' yellow turban, while the scurrilous inscription 'ΠΟΛΛΑ ΤΑ ΕΤΗ ΤΟΝ Κ[Ε]ΡΑΤΑΔ[Ω]Ν' (or 'Long Live The Cuckolds') accompanies the bearded figure on either side. If the man is indeed a 'Moslem' (as interpreted by Morgan), then the eleventh-century Byzantine potter (and his market) seems to have committed a major offence against the figure's ethics and piety.⁸² The exact meaning of the insult inscribed on the dish is also attested to in Byzantine literature, where in one case it refers to issues of immorality and adultery in Islam.⁸³ Examples such



Figure 10.7 Constantinopolitan 'White Ware' dish with polychrome-painted decoration found at Corinth (in Charles H. Morgan II, *Corinth XI: The Byzantine Pottery*, The American School of Classical Studies at Athens, Harvard University Press, 1942, PLATE XVI, no. 369). Reproduction is courtesy of the American School of Classical Studies at Athens, *Corinth Excavations*.

as the previously mentioned dish should not surprise us, considering the polemical force that Byzantine art and tradition reserved for Muslims during the Middle Byzantine period and later: they are often represented as the personification of the Satan, as persecutors of Christians or as the damned in Last Judgement scenes.⁸⁴

At first glance, after Crete's reacquisition Naxos, as well as its wider periphery in the southern Aegean, seems to have been fully incorporated into the Byzantine imperial sphere of political and cultural influence. The various aspects of material culture (such as ceramic tableware and amphorae) and their distribution all over the empire from the middle tenth century onwards point to a revived Byzantine *koine* through trade channels. Religious artistic trends point in similar directions, with Constantinople playing once again its metropolitan role as a source of inspiration. That having been said, it should be noted that islanders did not remain passive actors in the cultural stage of the period. Their geographic marginality, further away from direct central control, enabled them to develop a clear local identity, which we can see repeating itself on several other

Aegean islands. Did such coincidence constitute an 'Aegean island-identity'? The sea surrounding Naxos functioned both as a filter of influences and as a means of keeping the island's cultural and trade networks with Byzantines and non-Byzantine neighbours alive.

The Latin 'colonisation' (c. 1207–1566)

According to Peter Lock, the task for planting colonies in the Aegean after the capture of Constantinople by the Latins of the Fourth Crusade was left to the 'young and the bold', to Venetian aristocrats such as Marco I Sanudo.⁸⁵ Thus in 1207 the Cyclades formed a separate *state*, the Duchy of the Archipelago, with the island of Naxos as its capital. There has been a long discussion about what defines a 'medieval colony' in the Mediterranean; it is generally accepted that lordships and principalities in the Archipelago, as well as territorial possessions under the direct control of the distant power of Venice, all fall within the category of a 'colony'.⁸⁶

This was the time when the built space radically changed from undefended and dispersed to defended and nucleated. Walled settlements appear on all Cycladic islands, and their layout is directed by the topography. The only historical reference for the building of an island-*kastro* according to a plan is the *Kastro* of Naxos, designed to provide housing for a colonial minority and to function as the administrative centre of the Duchy.⁸⁷

Types of settlement are the spatial manifestation of social structures, and one cannot fix boundaries between social structure and its spatial elements; similarly one cannot ignore the social and cultural background which the Latins brought with them from their countries of origin.⁸⁸ In the town of Naxos's plan, as in every plan of a *kastro* (for example, the *kastro* of Kephelos on neighbouring Paros, or Apano Kastro on Naxos itself), the cathedral and the main tower (the so-called lord's residence) are located at the notional centre of the settlement, and all the roads lead to these two basic poles of attraction.⁸⁹ The domestic structures within the town themselves are facing towards the symbols of ecclesiastical and secular authority. It is generally accepted that the plan of the island *kastro* was the material reflection of the Venetians' foundation of a political, social and ecclesiastical hierarchy in a foreign land, as well as for the introduction of values common in the thirteenth-century West.

It should be noted that the unpopular treatment of the lower social class by the *Angeloi* (c. 1185–1204) and the special arrangement between the Latin lords and the local Byzantine *archons* provided suitable ground for the establishment of the Franks in the early thirteenth century.⁹⁰ How the peasant population, who formed the majority on the islands and who farmed the estates for Greek and Latin lords, felt about the new situation was nowhere recorded, while the Latins needed the support of the Greek *archons* for control over the peasant majority.⁹¹ Archaeological evidence suggests that the construction of Apano Kastro was completed in the first half of the thirteenth century with the intention to control uprisings by the Greek communities in the interior

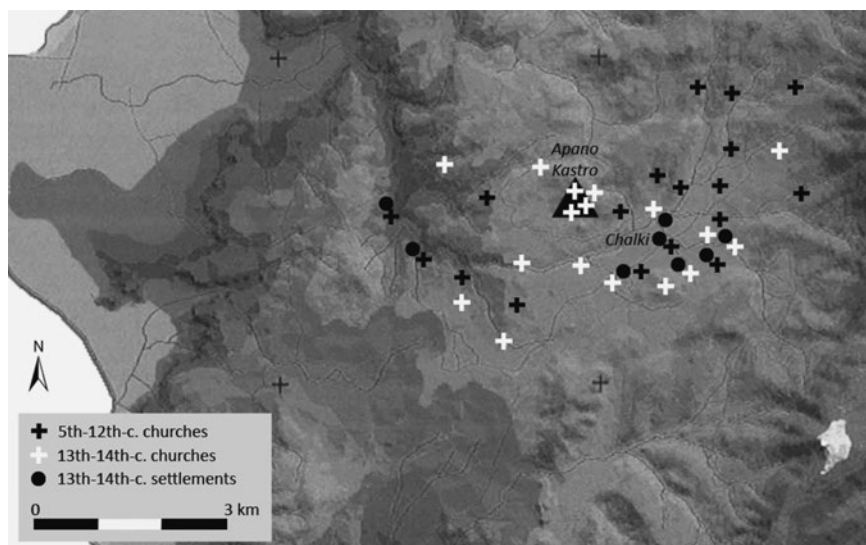


Figure 10.8 Map of the 'territory' of Apano Kastro in inland Naxos with its satellite rural settlements and the distribution of Early-Middle and Late Byzantine churches throughout the region. (Map and data by the author)

of Naxos until the firm establishment of the Latin regime, and primarily to function as the focal centre for the inland villages (Figure 10.8), in a fashion similar to the *castellanies* of Venetian Crete⁹² or even as in neighbouring Paros, where survey around the *kastro* of Kephalos⁹³ has revealed a series of dependent satellite hamlets and farms.

The presence of imported decorated table pottery, on the other hand, such as Miletus ware from Anatolia (fourteenth to fifteenth centuries) or tin-glazed Proto-Maiolica (thirteenth century), Maiolica (fifteenth to sixteenth centuries) and Polychrome Sgraffito wares (fifteenth to sixteenth centuries) from Italy, as well as Spanish lustrewares (fourteenth to fifteenth centuries) on islands such as Naxos and Paros,⁹⁴ points to the annexation of the area by Venetian merchants and to the development of intense trade channels and cultural networks between Italy and the Aegean. According to archaeological evidence, it seems that access to such expensive and imported objects was restricted, nearly exclusively, to members of the colonial administrative elite.⁹⁵

The growing number of Orthodox churches being built during the period of Venetian domination as well as related textual sources concerning the Cyclades and other islands seem to suggest that the Latin lords did not impose Catholicism on their subjects. In Naxos, where one finds a large number of dated inscriptions on decorative frescoes of the 'Byzantine style' dating to the second half of the thirteenth and early fourteenth centuries, churches were still being

built or decorated with frescoes.⁹⁶ Seventy new churches were constructed (and forty-eight of them preserve fresco decoration) throughout the thirteenth and fourteenth centuries, while another thirty-four churches of earlier centuries bear layers of wall frescoes of the Frankish period (Figure 10.6). According to Angeliki Mitsani, the wall frescoes themselves, many of which bear dedicatory inscriptions by Greek laymen and clerics, feature a variety of styles, among which local workshops or painters can be distinguished.⁹⁷ The local painting style is simplified, schematic and conservative in character but somehow follows contemporary artistic trends. This cannot be but the result of a period of relative stability and a reflection of the Orthodox population's need to associate and link itself with Constantinople (rather than the imported Catholic ruling class), as well as the outcome of a more 'relaxed' and effective arrangement of Orthodox Church matters by the Latins.

A similar degree of accommodation of contrasting trends can be found in other aspects of material culture. The male and female attire of thirteenth-century donor portraits from Naxos and Paros reveal both an attachment to the Byzantine tradition and a cultural dialogue between colonisers and colonised, leading to the formation of a new local identity under the impact of the Byzantine imperial past and the effect of Venetian presence. The thirteenth-century female donor from the church of Hagios Georgios Marathou in inland Naxos, for example, is dressed in the 'Byzantine style' (typical in the eleventh and twelfth centuries), wearing a long white tunic with wide sleeves, a broad, elaborately decorated belt at her waist, a leaf-pattern decorated white cloak over her dress and a 'Byzantine-style' fan-shaped hat.⁹⁸ As it has been noted in the published literature,⁹⁹ donor portraits would remain until eternity; thus a donor would choose very carefully the way he/she would be represented and the social or cultural identity he/she would project. As it is the case with other contemporary island communities, such as Crete, Rhodes and Cyprus,¹⁰⁰ donors' attire reveal a conservative or 'Byzantine' character, especially in the countryside and amongst members of the Greco-Byzantine elite. Thus, it would seem reasonable for members of the Greco-Byzantine population of Naxos and other islands that were forced to retire to the countryside (leaving the town and ports to the Venetians)¹⁰¹ to choose this kind of pictorial representation for themselves. On the other hand, a thirteenth-century male donor from the church at Protoria on Paros, wearing a 'Western-style' trapezoidal cap and a red garment, is depicted praying in a combination of the Orthodox (his hands raised in supplication) and Catholic (kneeling instead of standing) traditions.¹⁰² Compositions of this kind indicate the mingling of artistic modes of expression for populations engaged in trade and other activities (a predominantly male occupation) and the appropriation of the image of Venetian nobles and merchants.

The evidence from Naxos dated after the arrival of the Venetians testifies to a rather peaceful mingling of cultural expressions and a productive coexistence between local traditions and Western trends brought in by the



Figure 10.9 Fresco from the church of Hagios Georgios at Melanes on Naxos, depicting Saint George on horseback spearing a human figure in white, in the presence of a standing 'imperial figure' to the right. (Photo by Charalambos Pennas © 2nd Ephorate of Byzantine and Post-Byzantine Antiquities)

colonisers. This can be considered as a process that gradually led to the formation of a concrete 'Aegean island-identity', which owes much to both Byzantium and the Latin West. A final example of this cultural mingling and unwritten alliance between locals and Western newcomers derives from an unpublished fresco dating approximately to the second half of the thirteenth century¹⁰³ from the upper apse of the southern wall of the barrel-vaulted church of Hagios Georgios at Melanes on Naxos (Figure 10.9).¹⁰⁴ The fresco depicts Saint George on horseback, dressed in military uniform, not as the usual 'dragon slayer' but instead spearing a beardless figure who is aiming with a bow at the Saint. The bleeding figure (Figure 10.10) has long reddish curls and wears a red *fez*-like cap and a white *kaftan*-like tunic with tight sleeves and *tiraz* patterns on the upper arms, similar to the garments worn by males depicted sitting on the ground or as archers on thirteenth-century Seljuk tiles and ceramics.¹⁰⁵ Based on his attire and the use of a bow and arrow (seen as the weapon of devil),¹⁰⁶ we would identify the fallen male as an Easterner, probably a Seljuk. Interestingly, Saint George is regarded to have rescued captives of the Saracens and Bulgars. In miracles



Figure 10.10 Detail of the fresco from the church of Hagios Georgios at Melanes. (Photo by Charalambos Pennas © 2nd Ephorate of Byzantine and Post-Byzantine Antiquities)

attributed to him he is figured as the conqueror of evil, as a protector against conquerors (Scythians, Persians and ‘barbarians’), and he was adopted as *προστάτης* by Byzantine Emperors.¹⁰⁷ Moreover, the same fresco preserves a standing figure (depicted from his lower arms down) positioned next to the bleeding male, dressed in imperial costume and holding a sword and the globe. This figure should be identified as an emperor.¹⁰⁸ Byzantine emperors often related their triumphs to Christ’s representations¹⁰⁹ and to the intervention of military Saints, such as the cases of Nikephoros II (961) with Saint Demetrios and Manuel I Komnenos (1143–80) with Saint George.¹¹⁰ Thus, we could assume that the presence of the standing emperor in the scene of the Naxos fresco signifies once again the Orthodox community’s association with the Byzantine legacy and at the same time its reconciliation with the Latin authority in a ‘unification of the faithful’, against a common enemy, the Muslims, who had been overtaking the last Christian strongholds in Asia Minor and the Eastern Mediterranean. After all, Saint George in the thirteenth-century Aegean and the Greek mainland had become a popular patron saint amongst the Crusaders, and his depiction enjoyed Crusader patronage in many Latin-dominated regions.¹¹¹ Although the fresco needs

further detailed study within the context of the church's iconographic programme, I would argue that the bleeding figure on the ground and the brave figure on horseback inform us about a long-term collective memory of the Muslim adversary. Furthermore, the composition as a whole seems to affirm imperial impact and a pronounced Byzantine cultural, political and religious identity and boundaries beyond Constantinople and the remaining Byzantine states.

A long period – repeated patterns

The story narrated by the material culture and the visual art of Naxos over this long period of direct or indirect Byzantine imperial control and its legacy between the fifth and sixteenth centuries reveals a repeated pattern in Aegean island-behaviours. This story should be regarded as representative of many other insular regions in the Aegean Archipelago.

Examining the case of imperial legacies as a deterministic factor, the geographical location and insularity of Naxos and other Aegean islands not only rendered them relatively independent from direct state control (irrespective of the location of the 'centre') but also contributed to the formation of their distinctive local island-identities. This does not mean that Aegean islands formed 'closed systems' unaware of contemporary developments in Constantinople or Venice, nor that they remained passive recipients in the wider constructs of imperial or colonial identities. To the contrary: the sea acted both as a filter of incoming political systems, artistic trends or *modes de vie* and as a communication channel with neighbouring islands, nearby mainlands and the centres of state power. It goes without saying that the incorporation of the Aegean islands into the Byzantine, Arab or Latin imperial/colonial fabric was never an easy task and probably never as successful as we think it was, especially in periods of crisis and decentralisation or even over phases of resurgence and expansion.

What is certain, however, is that the foundation of 'Orthodox-Byzantine' ideological identities onto Aegean island-societies remained unchallenged throughout the period in question. This is clearly attested to in religious art on Naxos, where archaic forms keep appearing over and over again as a reminder of the heritage of the Church and the Byzantine Empire. Even secular channels of communications remained alive and never ceased to function as media for transferring objects from and to Constantinople, even during the so-called 'troubled' era of Arab supremacy in the Aegean.

The geographically peripheral location of the southern Aegean islands played, once more, a decisive role in the construction of local identities and responses. This peripheral zone acted as a ground for cultural mingling between antagonistic powers (such as Byzantines and Arabs, Latins and Byzantines) *beyond fixed boundaries* rather than as a barrier between antagonistic peoples and empires. The successful mingling of material-culture and artistic trends on Naxos or any other Aegean island resulted in a transformed island expression, being distinctive

and unique by virtue of its having its roots within a local context. This is what we can call 'Aegean island-identity' or a 'local response' to external or imperial impacts and influences.

The vital need of island populations in this 'peripheral zone' to survive in periods of uncertainty created paths for negotiation, compromise and cohabitation with the 'other' without losing consciousness of their identities and affiliations. The following abstract from the travels of the French botanist Joseph Pitton de Tournefort,¹¹² who visited Naxos at the beginning of the eighteenth century, encapsulates the main points raised earlier. The reaction of the people of Naxos before the Ottoman tax collector would have been similar in the years of Arab presence in the Aegean in the ninth century, or in the period of Byzantine control in the twelfth or during the period of Latin domination in the thirteenth century.

'At the arrival of the meanest Bey of a Galliot, neither Latins nor Greeks ever dare to appear but in red caps, like the common galley slaves, and tremble before the pettiest officer. As soon as ever the Turks are withdrawn, the Naxian nobility resume their former haughtiness: nothing is to be seen but caps of velvet, nor to be heard of but tables of genealogy; some deduce themselves from the Paleologi or Comnenii; others from the Justiniani, the Grimaldi, the Summaripas . . .'

Notes

- 1 For some recent and general publications on aspects of imperial dynamics and expansion in Antiquity and the Middle Ages, see Andrew Erskine and Lloyd Llewellyn-Jones (eds.), *Creating a Hellenistic World* (Swansea, 2010); Ian Morris and Walter Scheidel (eds.), *The Dynamics of Ancient Empires: State Power from Assyria to Byzantium* (Oxford, 2009); Herfried Münkler, *Empires: The Logic of World Domination from Ancient Rome to the United States*, translated. P. Camiller (Cambridge, 2007); Louise Revell, *Roman Imperialism and Local Identities* (Cambridge, 2009).
- 2 For a useful, though outdated, collection of papers concerned with the fate of the southern Balkans throughout the period of Ottoman domination, see Basile G. Spiridonakis (ed.), *Essays on the Historical Geography of the Greek World in the Balkans during the Turkokratia* (Thessaloniki, 1977).
- 3 Georges Kiourtzian, *Recueil des inscriptions grecques chrétiennes des Cyclades: de la fin du IIIe au VIIe siècle après J.-C.* (Paris, 2000). Also Georges Kiourtzian, 'Οι Κυκλάδες κατά την πρωτοβυζαντινή εποχή: ανάπτυξη και ζωτικότητα', in *Πρακτικά Α' Διεθνούς Σιφναϊκού Συμποσίου, Σίφνος 25–28 Ιουνίου 1998* (Proceedings of the First International Sifnean Symposium), Sifnos, Greece, June 25–28, 1998 (Athens, 2001), pp. 9–18; Elisabeth Malamut, *Les îles de l'Empire byzantin: VIIIe–XIIe siècles* (Paris, 1988).
- 4 Peter Lock, *The Franks in the Aegean, 1204–1500* (London, 1995); William Miller, *The Latins in the Levant: A History of Frankish Greece (1204–1566)* (London, 1908); Athanasios K. Vionis, *A Crusader, Ottoman, and Early Modern Aegean Archaeology: Built Environment and Domestic Material Culture in the Medieval and Post-Medieval Cyclades, Greece (13th–20th Century AD)* (Leiden, 2012), pp. 35–45.
- 5 Ben J. Slot, *Archipelagus Turbatus: les Cyclades entre colonisation latine et occupation ottomane, c. 1500–1718* (2 vols., Leiden, 1982), Vol. 1; Vionis, *Aegean Archaeology*, pp. 45–56.

- 6 Aglaia E. Kasdagli, *Land and Marriage Settlements in the Aegean: A Case Study of Seventeenth-Century Naxos* (Venice, 1999); Eleni Koukkou, *Οι κοινοτικοί θεσμοί στις Κυκλάδες κατά την Τουρκοκρατία* (Athens, 1980).
- 7 Only few attempts have succeeded to evaluate the expression of local religious and cultural identities away from the imperial elite circles. For example, Angelos Chaniotis, 'What Difference Did Rome Make? The Cretans and the Roman Empire', in Björn Forsén and Giovanni Salmeri (eds.), *The Province Strikes Back: Imperial Dynamics in the Eastern Mediterranean* (Helsinki, 2008), pp. 83–105; Maria Georgopoulou, 'Crete between the Byzantine and Venetian Empires', in Forsén and Salmeri (eds.), *The Province*, pp. 107–22; Antonis Anastasopoulos, 'Centre-Periphery Relations: Crete in the Eighteenth Century', in Forsén and Salmeri (eds.), *The Province*, pp. 123–36.
- 8 The application of such terminologies in the context of Byzantine/Medieval and post-Medieval Studies remains somewhat problematic as long as theoretical approaches, such as Core Periphery and World System models, are not examined by authors dealing with the post-Antique periods in the Eastern Mediterranean. The paucity of historical documents and the lack of interpretative material culture studies are part of the problem. For a long-term perspective, see John Bintliff, 'Recent Developments in the Social and Economic Archaeology of the Mediterranean Region from a Long-Term Perspective', *Tijdschrift voor Mediterrane Archeologie* 40 (2008): pp. 36–47.
- 9 A similar approach has been employed by the British archaeologist Ian Hodder, who attempted to show how the spatial patterning of artefacts relates to ethnic boundaries. Ian Hodder, *Symbols in Action: Ethnoarchaeological Studies of Material Culture* (Cambridge, 1982). Also, Florin Curta, *The Making of the Slavs: History and Archaeology of the Lower Danube Region, c. 500–700* (Cambridge, 2001), pp. 6–35. For a preliminary application of this approach on case studies in the Aegean region, see Athanasios K. Vionis, 'Reading Art and Material Culture: Greeks, Slavs and Arabs in the Byzantine Aegean', in Barbara Crostini and Sergio La Porta (eds.), *Negotiating Co-Existence: Communities, Cultures and Convivencia in Byzantine Society* (Trier, 2013), pp. 103–127.
- 10 For a discussion on islands standing between conservatism and innovation, see Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, translated S. Reynolds (2 vols., London, 1972), Vol. 1, pp. 149–150. For a general introduction to diachronic island landscapes and characteristics, see Thymio Papayannis and Aphrodite Sorotou, 'Cultural Landscapes of Mediterranean Islands', in Ioannis N. Vogiatzakis, Gloria Pungetti and Antoinette M. Mannion (eds.), *Mediterranean Island Landscapes: Natural and Cultural Approaches* (Dordrecht, 2008), pp. 82–99.
- 11 Idris Bostan, 'Ottoman Sovereignty in the Aegean Islands and Their Administrative Structure', in Bayram Öztürk (ed.), *The Aegean Sea 2000: Proceedings of the International Symposium on the Aegean Sea* (Istanbul, 2000), pp. 93–98; Christy Constantakopoulou, *The Dance of the Islands: Insularity, Networks, the Athenian Empire, and the Aegean World* (Oxford, 2007), p. 1.
- 12 For the islands' diversity and approaches to insularity, see Cyprian Broodbank, *An Island Archaeology of the Early Cyclades* (Cambridge, 2000), pp. 6–35.
- 13 Braudel, *Mediterranean World*, p. 150; Malamut, *Les îles de l'Empire byzantin*, p. 598; Broodbank, *An Island Archaeology*, p. 10; Constantakopoulou, *Dance of the Islands*, pp. 2–3.
- 14 Émile Kolodny, *La population des îles de la Grèce: essai de géographie insulaire en Méditerranée orientale* (Aix en Provence, 1974), p. 134.
- 15 Malamut, *Les îles de l'Empire byzantin*, p. 29.
- 16 Vassilios Christides, *The Conquest of Crete by the Arabs (ca. 824): A Turning Point in the Struggle Between Byzantium and Islam* (Athens, 1984), pp. 105–106; Anthony T. Luttrell, *The Hospitallers in Cyprus, Rhodes, Greece and the West, 1291–1440* (London, 1978), pp. 198–201; Neocles Sarris, *Οσμανική Πραγματικότητα* (2 vols., Athens, 1990), Vol. 1. For a comprehensive analysis of the expression of identity and cross-cultural interaction between communities and colonial powers on three major islands in the late medieval

- Eastern Mediterranean (Rhodes, Crete, Cyprus), see Cristina Stancioiu, 'Objects and Identity: An Analysis of Some Material Remains of the Latin and Orthodox Residents of Late Medieval Rhodes, Cyprus, and Crete' (Ph.D. dissertation, University of California, Los Angeles, 2009).
- 17 For an analytical discussion of land and sea communications throughout the Byzantine period on the basis of information gathered from textual sources, see Anna Avramea, 'Land and Sea Communications, Fourth–Fifteenth centuries', in Angeliki E Laiou (ed.), *The Economic History of Byzantium: From the Seventh Through the Fifteenth Century* (3 vols., Washington, DC, 2002), Vol. 1, pp. 57–90. For a rather different picture of the smaller Aegean islands, described as backward, frequently isolated and lacking resources during the period of Latin domination, with the exception of larger islands (such as Crete, Rhodes and Chios), perceived as 'miniature continents', see Anthony T. Luttrell, 'The Latins and Life on the Smaller Aegean Islands, 1204–1453', *Mediterranean Historical Review* 4/1 (1989): pp. 146–157.
 - 18 For the journey of St. Sabas the Younger from Mount Athos to Constantinople in 1342 through the islands in three days as an example of seafaring competence, see 'Φιλοθέου Βίος καὶ πολιτεία τοῦ ἁγίου Σάβα τοῦ Νέου', in Demetrios G. Tsames (ed.), *Φιλοθέου τοῦ Κωνσταντινουπόλεως τοῦ Κοκκίνου ἀγιολογικά ἔργα. Α'. Θεσσαλονικεῖς Ἅγιοι [Θεσσαλονικεῖς Βυζαντινοὶ Συγγραφεῖς 4]* (Thessaloniki, 1985), p. 292; Avramea, 'Land and Sea Communications', p. 79; Johannes Koder, 'Νησιωτική επικοινωνία στο Αιγαίο κατὰ τον ὄψιμο Μεσαίωνα', in Nikos G. Moschonas (ed.), *Ἡ Επικοινωνία στο Βυζάντιο, Πρακτικά του Β' Διεθνούς Συμποσίου Βυζαντινῶν Ερευνῶν: Αθήνα, 4–6 Οκτωβρίου 1990* (Athens, 1993), p. 446.
 - 19 Avramea, 'Land and Sea Communications', pp. 86–87.
 - 20 This information derives from inscriptions at the site of Grammata in Syros; Kiourtzian, *Recueil des inscriptions*, pp. 13 and 152. Inscriptions at the site provide also the names of the sailors who stopped there and their places of origin.
 - 21 Christides, *Conquest of Crete*, p. 131.
 - 22 Hippolyte Delehay, 'La vie de sainte Théoctiste de Lesbos', *Byzantion* 1 (1924): pp. 191–200; Angela C. Hero, 'Life of St. Theoktiste of Lesbos', in Alice-Mary Talbot (ed.), *Holy Women of Byzantium: Ten Saints' Lives in English Translation* (Washington, DC, 1996), Vol. 1, p. 95.
 - 23 Archaeological evidence for tracing sea lanes and the movement of goods across the Aegean and the Eastern Mediterranean on the basis of published literature on Byzantine shipwrecks will not be discussed in the main text. Apart from the seventh-century shipwreck of Yassi Ada, see George F. Bass and Frederick H. van Doorninck, Jr. (eds.), *Yassi Ada: A Seventh-Century Byzantine Shipwreck* (College Station, 1982), most underwater information comes from Middle Byzantine shipwrecks, such as the middle twelfth-century Pelagonesos–Alonnesos shipwreck and the early thirteenth-century Kastellorizo shipwreck. Charalambos Kritzas, 'Το βυζαντινὸν ναυάγιον Πελαγοννήσου Αλοννήσου', *Αρχαιολογικά Ανάλεκτα Αθηνῶν* 4/2 (1971): pp. 176–182; G. Philotheou and M. Michaelidou, 'Βυζαντινά πινάκια ἀπὸ το φορτίο ναυαγισμένου πλοίου κοντὰ στο Καστελλόριζο', *Αρχαιολογικὸν Δελτίον* 41, *Μελέτες* (1986): pp. 271–330.
 - 24 This idea has been properly analysed in the context of the ancient Athenian Empire and its domination over the Aegean islands; see Constantakopoulou, *Dance of the Islands*, pp. 119–120, who argues that 'since isolation is an essential component in perceptions of insularity, ideas of safety became intrinsically linked with island territories'. Constantakopoulou herself has been inspired by the work of Charles de Secondat, Baron de Montesquieu, *The Spirit of Laws*, book 18, Chapt. 5, translated Th. Nugent (London, 1914).
 - 25 Michael Angold, *Church and Society in Byzantium under the Comneni, 1081–1261* (Cambridge, 1995), pp. 207–210; Anthony Kaldellis, *The Christian Parthenon: Classicism and Pilgrimage in Byzantine Athens* (Cambridge, 2009), p. 145.

- 26 Malamut, *Les îles de l'Empire byzantin*, p. 175.
- 27 Constantakopoulou, *Dance of the Islands*, p. 133. The author (although concerned with the position of the Cyclades during the period of Athenian hegemony) remarkably recapitulates the concept of imperial power and control over islands, and the insular/provincial reaction within spheres of competing imperial influence and expansion, that happily agrees with the material culture and the visual arts in the Cyclades throughout this period of unsettled affairs.
- 28 This is mostly the case with studies around the United States and their connection with the Roman Empire. See Stephen Howe, *Empire: A Very Short Introduction* (Oxford, 2002); Morris and Scheidel (eds.), *The Dynamics of Ancient Empires*, Chapt. 1; Herfried Münkler, *Empires: The Logic of World Domination From Ancient Rome to the United States* (Cambridge, MA, 2007), Chapt. 1.
- 29 For a discussion on the difference between 'empire' and 'imperialism' in the context of the ancient world, see Carla M. Sinopoli, 'Imperial Integration and Imperial Subjects', in Susan E. Alcock, Terence N. D'Altroy, Kathleen D. Morrison and Carla M. Sinopoli (eds.), *Empires: Perspectives from Archaeology and History* (Cambridge, 2001), pp. 195–200; David J. Mattingly, *Imperialism, Power and Identity: Experiencing the Roman Empire* (Princeton, 2011), pp. 3–13.
- 30 Jerry H. Bentley, 'Cross-Cultural Interaction and Periodization in World History', *The American Historical Review* 101/3 (1996): pp. 749–770. John Haldon rightfully notes that the history of the Byzantine Empire is one of contraction, and that 'imperialist exploitation of foreign conquests is the exception rather than the rule'; John F. Haldon, 'The Byzantine Empire', in Morris and Scheidel (eds.), *The Dynamics of Ancient Empires* (New York, 2009), p. 205.
- 31 For a brief definition of 'colonialism', see Mattingly, *Imperialism, Power and Identity*, p. 7. For a representative case study of Venetian colonialism, see Georgopoulou, 'Crete'.
- 32 Anastasopoulos, 'Centre-Periphery Relations'; Jack A. Goldstone and John F. Haldon, 'Ancient States, Empires, and Exploitation: Problems and Perspectives', in Ian Morris and Walter Scheidel (eds.), *The Dynamics of Ancient Empires*, p. 16.
- 33 Goldstone and Haldon, 'Ancient States', pp. 17–18.
- 34 For relevant conclusions from intensive surface surveys in central and southern Greece, see John L. Bintliff and Anthony M. Snodgrass, 'The Cambridge/Bradford Boiotia Expedition: The First Four Years', *Journal of Field Archaeology* 12 (1985): pp. 123–161; John L. Bintliff, 'Pattern and Process in the City Landscapes of Boeotia from Geometric to Late Roman Times', in Michèle Brunet (ed.), *Territoire des cités grecques* (Paris, 1999), pp. 15–33; Jack L. Davis, Susan E. Alcock, John Bennet, Yannis G. Lolos and Cynthia W. Shelmerdine, 'The Pylos Regional Archaeological Project, Part I: Overview and the Archaeological Survey', *Hesperia* 66 (1997): pp. 391–494.
- 35 An extensive surface survey was undertaken in selected regions on the islands of Paros (in 2001–2002) and Naxos (in 2006) by the author in collaboration with the 2nd Ephorate of Byzantine and Post-Byzantine Antiquities and its former director Dr Charalambos Pennas (to whom I am most grateful for the generous sharing of archaeological information). It is noteworthy that in most cases settlement sites (farmsteads/villas, hamlets) are located in fertile areas (plains or inland valleys) and coasts and always by a basilica church (identified either by excavation or by the presence of Late Antique spolia incorporated in nearby buildings or in situ churches of later periods). The size of the sites dated to the fifth to seventh centuries and identified on both Paros and Naxos range between 0.5 and 4 hectares.
- 36 Vionis, *Aegean Archaeology*, p. 31.
- 37 Direct evidence for interregional and international trade has been confirmed for nearly all sites of the late fifth to middle/late seventh centuries on Paros and Naxos through the identification of large numbers of LR1 and LR2 transport amphorae, as well as African and Phocaean Red Slip Wares of the sixth to seventh centuries.

- 38 An organised and important Cycladic Church administration is evidenced by references to bishopric sees and to the participation of several bishops (especially from Naxos and Paros) to Ecumenical Councils held between the fourth and sixth centuries, that is, in Nicaea, Ephesus, Chalcedon and Constantinople; Giorgio Fedalto, *Hierarchia Ecclesiastica Orientalis I: Patriarchatus Constantinopolitanus* (Padova, 1988), pp. 218–219 and 223.
- 39 The idea about the architectural relationship between Naxos, Crete, Cyprus and Asia Minor in the sixth and seventh centuries was published has been put forward very early. The structural similarities that have led to this conclusion are (a) the use of pilasters instead of columns for separating the aisles, (b) the vaulted roof of the aisles, (c) the absence of windows in the central aisle (though higher than the side aisles) and (d) the (internally and externally) semicircular apse of each aisle. See George Dimitrokallis, 'The Byzantine Churches of Naxos', *American Journal of Archaeology* 72/3 (1968): pp. 283–286. Although this argument is very attractive in the context of 'local' or 'island' religious architecture, one needs to also examine the imagery within those churches in order to identify additional or more secure evidence for the artistic or architectural relationship between Naxos and other peripheral regions.
- 40 As noted by Nikolaos Ghiotes, 'Οι παλαιότερες τοιχογραφίες της Παναγίας της Δροσιανής στη Νάξο και η εποχή τους', *Deltion tis Christianikis Archailogikis Etaireias* 20 (1998–1999): p. 65, the double depiction of Christ on the dome of Panagia Drosiani is not so much associated with the monophysite controversy 'but with two milder variants of that heresy, monoenergetism and monothelitism', which appeared at the time of Heraclius.
- 41 The female saint to the left of Christ, crowned and in imperial attire (resembling the garments of Empress Theodora in San Vitale), symbolising a queen or Christ's bride, appears in a soteriological context and is interpreted as 'the personification of the Church'. See Demetrios I. Pallas, 'Ο Χριστός ως η Θεία Σοφία: η εικονογραφική περιπέτεια μιας θεολογικής έννοιας', *Deltion tis Christianikis Archailogikis Etaireias* 15 (1989–1990): pp. 129–131.
- 42 Nicos B. Drandakis, 'Panagia Drosiani', in Manolis Chatzidakis (ed.), *Byzantine Art in Greece: Naxos* (Athens, 1989), p. 19.
- 43 The peculiar iconography of Drosiani has also been connected with the presence of Pope Martin I (an opponent of monophysitism) on the island in 653; see Ghiotes, 'Οι παλαιότερες τοιχογραφίες', pp. 66–68.
- 44 Apart from its occurrence in Western contexts, the title of ΑΓΙΑ ΜΑΡΙΑ has been identified also in the East. In Cyprus, for example, it accompanies the mosaic depiction of the Virgin Mary on the semi-dome of the east apse, and it has been viewed in the context of monophysite presence on the island in the sixth century; Andreas M. Foulías, *Ο ναός της Παναγίας Αγγελόκτιστης στο Κίτι Λάρνακας* (Nicosia, 2004), p. 25.
- 45 Some notable exceptions include studies of the Methana peninsula in the Peloponnese, where the settled landscape has been investigated on the basis of church distribution, or Crete, where churches and chapels have been seen as landmarks, boundary points and memorials, and Cappadocia, where rock-cut churches are being questioned in the context of settlement patterns and secular use of space. Hamish Forbes, *Meaning and Identity in a Greek Landscape* (Cambridge, 2007); Veronica Kalas, 'Challenging the Sacred Landscape of Byzantine Cappadocia', in Alicia Walker and Amanda Luyster (eds.), *Negotiating Secular and Sacred in Medieval Art* (Aldershot, 2009), pp. 147–173; Lucia Nixon, *Making a Landscape Sacred* (Oxford, 2006). See also Rebecca Sweetman, 'The Christianization of the Peloponnese: The Topography and Function of Late Antique churches', *Journal of Late Antiquity* 3 (2010): pp. 203–261; Athanasios K. Vionis, 'The Topography of Christianisation in the Byzantine

- Cityscape of the Southern Illyrikon', in Andreas Nicolaïdès (ed.), *Problèmes de topographie urbaine en Méditerranée byzantine* (Aix-en-Provence, 2014), in press. An interesting comparison can be made with the general pattern noted in Cyprus by the Sydney Cyprus Survey Project. The exploration team of the SCSP has noted that, in contrast to Greece, hilltop chapels are unknown in Cyprus and that, according to archaeological investigation, rural chapels mark the sites of abandoned settlements. Thus, churches define villages, and villages are defined by churches. Michael Given and Bernard Knapp, *The Sydney Cyprus Survey Project: Social Approaches to Regional Archaeological Survey* (Los Angeles, 2003), pp. 292–293.
- 46 An important input in the field of Byzantine sacred landscapes was made recently by the application of the method of Historic Landscape Characterisation (HLC) in the case of Naxos. The technique of Historical Landscape Characterisation is different to traditional archaeological mapping methods because it assigns historic character to the whole landscape rather than to just selected monuments or small areas. HLC draws on techniques used also in geology (to show soil type) or in ecology (to map habitats). See Jim Crow, Sam Turner and Athanasios K. Vionis, 'Characterizing the Historic Landscapes of Naxos', *Journal of Mediterranean Archaeology* 24/1 (2011): pp. 111–137. For similar discussions, see Vionis, 'The Topography of Christianisation'. For the Peloponnese, see also Sweetman, 'The Christianization of the Peloponnese', pp. 228–229.
 - 47 Vionis, 'The Topography of Christianisation'.
 - 48 Kenneth M. Setton, 'On the Raids of the Moslems in the Aegean in the Ninth and Tenth Centuries and Their Alleged Occupation of Athens', *American Journal of Archaeology* 58/4 (1954): pp. 311–319; George C. Miles, 'Byzantium and the Arabs: Relations in Crete and the Aegean Area', *Dumbarton Oaks Papers* 18 (1964): pp. 1–32; Hamilton A. R. Gibb, 'The Relations Between Byzantium and the Arabs: Report on the Dumbarton Oaks Symposium of 1963', *Dumbarton Oaks Papers* 18 (1964): pp. 363–365.
 - 49 The extensive survey project on the island of Naxos was undertaken by the author (in collaboration with Dr Charalambos Pennas, former director of the 2nd Ephorate of Byzantine and Post-Byzantine Antiquities) as an employee of the Hellenic Ministry of Culture in November–December 2006.
 - 50 For an extensive discussion about the aniconic frescoes' style and chronology, see Leslie Brubaker and John Haldon, *Byzantium in the Iconoclast Era (ca 650–850): The Sources; An Annotated Survey* (Aldershot, 2001), pp. 24–28.
 - 51 For more information about the Early Medieval ceramic finds from the archaeological surface survey on Naxos and similar pottery evidence of the same period from Boeotia and Sagalassos, see Athanasios K. Vionis, 'Considering a Rural and Household Archaeology of the Byzantine Aegean: The Ceramic Spectrum', in John Bintliff and Marta Caroscio (eds.), *Pottery and Social Dynamics in the Mediterranean and Beyond in Medieval and Post-Medieval Times* (Oxford, 2013), pp. 29–31.
 - 52 Malamut, *Les îles de l'Empire byzantine*, pp. 67–68.
 - 53 On the basis of comparable early medieval ceramic evidence from Asia Minor, the Greek Mainland and the Aegean islands, the argument in favour of a ceramic *koine*, and therefore our unrealised ability to recognise utilitarian ceramic wares of this period, was put forward for the first time in press in 2009; see Athanasios K. Vionis, Jeroen Poblome and Marc Waelkens, 'The Hidden Material Culture of the Dark Ages. Early Medieval Ceramics at Sagalassos (Turkey): New Evidence (ca AD 650–800)', *Anatolian Studies* 59 (2009): pp. 154–156. See also Vionis, 'Reading Art', pp. 114–115. A detailed argumentation on the ceramic *koine* of the Aegean and the Eastern Mediterranean was delivered as a research paper at the 1st International Workshop on 'Byzantium in Transition: The Byzantine Early Middle Ages' (University of Cyprus, October 28–30, 2011).

- 54 Vionis, 'Reading Art', p. 115.
- 55 Theophilus A. H. Mogabgab (ed.), *Supplementary Excerpts on Cyprus and Further Materials for a History of Cyprus* (3 vols., Nicosia, 1941–1945), Vol. 1, p. 1; Charles H. Talbot, *The Anglo-Saxon Missionaries in Germany, Being the Lives of SS. Willibrord, Boniface, Leoba and Lebuin together with the Hodoepicon of St. Willibald and a Selection from the Correspondence of St. Boniface* (London and New York, 1954), p. 161; see also Andreas Foulis, 'Η ανεικονική ζωγραφική στην Αγία Παρασκευή Γεροσκήπου', *Kypriakae Spoudae* 67–68 (2003–2004): p. 127.
- 56 Christides, *Conquest of Crete*, p. 165, n. 64; Vionis, 'Reading Art', pp. 115–116.
- 57 Four churches that preserve aniconic fresco decoration have attracted special attention: Hagia Kyriake Kallonis near Apeiranthos, Hagios Artemios at Stavros near Sangri, Hagios Ioannis Theologos at Adisarou and the basilica of Protothroni at Chalki. See Chatzidakis (ed.), *Byzantine Art*, pp. 50–65; Brubaker and Haldon, *Byzantium in the Iconoclast Era*, pp. 24–28.
- 58 Brubaker and Haldon, *Byzantium in the Iconoclast Era*, pp. 24–28.
- 59 Immanuel Bekker (ed.), *Theophanes Continuatus* (Bonnae, 1838), pp. 63:15–64:18 and 74:6–75:6; *Patrologia Graeca*, 100, pp. 1117–1120; Theophanes, *Chronographia*, Cyril Mango and Roger Scott (eds.), *The Chronicle of Theophanes Confessor: Byzantine and Near Eastern History, AD 284–813* (Oxford, 1997), p. 614; François Halkin (ed.), *Bibliotheca hagiographica graeca* (3 vols., Brussels, 1957), Vol. 2, p. 253.
- 60 Vionis, 'Reading Art', pp. 116–117.
- 61 There is a long bibliography one can cite here for the recovery attested archaeologically in this period, especially on the basis of results from intensive surface surveys in the Aegean. See John F. Cherry, Jack L. Davis and Eleni Mantzourani (eds.), *Landscape Archaeology as Long Term History: Northern Keos in the Cycladic Islands from Earliest Settlement until Modern Times* (Los Angeles, 1991); Christopher Mee and Hamish Forbes (eds.), *A Rough and Rocky Place: The Landscape and Settlement History of the Methana Peninsula, Greece* (Liverpool, 1997); John L. Bintliff, 'Reconstructing the Byzantine Countryside: New Approaches from Landscape Archaeology', in K. Belke, F. Hild, J. Koder and P. Soustal (eds.), *Byzanz als Raum. Zu Methoden und Inhalten der Historischen Geographie des Östlichen Mittelmeerraumes* (Wien, 2000), pp. 37–63; Pamela Armstrong, 'The Survey Area in the Byzantine and Ottoman Periods', in W. Cavanagh, J. Crouwel, R. W. V. Catling and G. Shipley (eds.), *Continuity and Change in a Greek Rural Landscape: The Laconia Survey, Methodology and Interpretation* (2 vols., London, 2002), Vol. 1, pp. 339–402.
- 62 al-Idrisi, *Nuzhat al-mushtaq*, ed. Pierre-Amedee Jaubert, *La géographie d'Edrisi* (2 vols., Paris: Imprimerie Royale, 1836), Vol. 2, pp. 121–32, 286–303; Angeliki E. Laiou and Cécile Morrisson, *The Byzantine Economy* (Cambridge, 2007), p. 131.
- 63 Malcolm Wagstaff and John F. Cherry, 'Settlement and Population Change', in Colin Renfrew and Malcolm Wagstaff (eds.), *An Island Polity: The Archaeology of Exploitation in Melos* (Cambridge, 1982), pp. 136–155; John F. Cherry, Jack L. Davis and Eleni Mantzourani, with John Hayes, 'Introduction to the Archaeology of Post-Roman Keos', in Cherry, Davis and Mantzourani (eds.), *Landscape Archaeology*, pp. 351–364.
- 64 Vionis, *Aegean Archaeology*, p. 33; Vionis, 'Rural and Household Archaeology', p. 31.
- 65 Athanasios K. Vionis, 'Post-Roman Pottery Unearthed: Medieval Ceramics and Pottery Research in Greece', *Medieval Ceramics* 25 (2001): pp. 84–98; Vionis, *Aegean Archaeology*, pp. 229–234.
- 66 The quantities that one particular Middle Byzantine amphora (*Günsenin III* or *Saraçhane 61*) found at Constantinople, Boeotia in central Greece and northern Keos in the Cyclades is overwhelming. See John W. Hayes, *Excavations at Saraçhane in Istanbul: The Pottery* (2 vols., Princeton: Princeton University Press and Dumbarton Oaks Research Library and Collection, 1992), Vol. 2, p. 76; Athanasios K. Vionis, 'Current

- Archaeological Research on Settlement and Provincial Life in the Byzantine and Ottoman Aegean: A Case-Study from Boeotia, Greece', *Medieval Settlement Research* 23 (2008): pp. 36–40; Cherry, Davis and Mantzourani, with Hayes, 'Post-Roman Keos', pp. 355–357.
- 67 For a comprehensive overview of housing types in the Middle (and Late) Byzantine Aegean, see Lefteris Sigalos, 'Housing People in Medieval Greece', *International Journal of Historical Archaeology* 7/3 (2003): pp. 204–207.
- 68 A first attempt to connect church-building activity with settlement, economic development and identity on the Aegean islands was undertaken by Athanasios K. Vionis, 'Much Ado About . . . a Red Cap and a Cap of Velvet: In Search of Social and Cultural Identity in Medieval and Post-Medieval Insular Greece', in Hero Hokwerda (ed.), *Constructions of Greek Past: Identity and Historical Consciousness from Antiquity to the Present* (Groningen, 2003), pp. 193–216. See also Vionis, *Aegean Archaeology*, pp. 42–45.
- 69 These figures derive from the database which was designed in the framework of the AHRC project 'Unlocking Historic Landscapes in the Eastern Mediterranean' coordinated by Jim Crow (University of Edinburgh) and Sam Turner (Newcastle University). The present author was employed by the project in 2007 and was mainly involved with updating the database with information regarding the chronology of Byzantine churches on Naxos and their different layers of frescoes on the basis of published literature.
- 70 Timothy E. Gregory, *A History of Byzantium* (Oxford, 2005), pp. 237–240.
- 71 The monasteries of Nea Moni on Chios (around 1050), Saint John the Theologian on Patmos (1088) and Panagia Hozoviotissa on Amorgos (11th century), as well as the Episcopal churches of Panagia Protothroni at Chalki on Naxos (1052) and Panagia Episkope on Santorini (11th century). See Henry Maguire, 'The Mosaics of Nea Moni: An Imperial Reading', *Dumbarton Oaks Papers* 46 (1992): pp. 205–214, or more generally, Charalambos Bouras, 'Byzantine Architecture in the Aegean', in Lambrini Bagen-Papaioannou and Dora Komine-Dialete (eds.), *The Aegean: The Epicenter of Greek Civilization* (Athens: Melissa, 1997), pp. 121–130.
- 72 Doula Mouriki, 'Stylistic Trends in Monumental Painting of Greece during the Eleventh and Twelfth Centuries', *Dumbarton Oaks Papers* 34/35 (1980/1981): p. 93; Nicos Zias, 'Panagia Protothroni at Chalki', in Chatzidakis, *Byzantine Art*, p. 30.
- 73 For an enlightening overview of artistic trends in the monumental painting of the Middle Byzantine periphery, see Karin M. Skawran, 'Peripheral Byzantine Frescoes in Greece: The Problem of Their Connections', *British School at Athens* 8 [MOSAIC: Festschrift for A. H. S. Megaw] (2001): pp. 75–83.
- 74 *Ibid.*, pp. 80–81.
- 75 For a thorough account of the major military saints in Byzantium, see Christopher Walter, *The Warrior Saints in Byzantine Art and Tradition* (Aldershot: Ashgate, 2003).
- 76 For example, in the northwest *parekklesion* of Panagia Protothroni, in Hagios Georgios Diassorites and Hagios Nikolaos at Sangri.
- 77 As already noted by Heather Badamo, the representation and cult of military saints flourished (during the twelfth and thirteenth centuries) in the 'frontier zones' of Byzantium; for example, the Christian-Muslim frontier in Egypt and the Levant, the Arab-Byzantine frontier of Anatolia and the Serbian-Bulgarian-Byzantine frontier of northern Greece. See Heather A. Badamo, 'Image and Community: Representations of Military Saints in the Medieval Eastern Mediterranean' (Ph.D. dissertation, The University of Michigan, 2011), pp. 179–239.
- 78 Miles, 'Byzantium and the Arabs', pp. 20–32; Anthony Cutler, 'A Christian Ewer with Islamic Imagery and the Question of Arab *Gastarbeiter* in Byzantium', in Robert Favreau and Marie-Hélène Debiès (eds.), *Iconographica: Mélanges offerts à Piotr Skubiszewski* (Poitiers: Université de Poitiers, Centre d'Études Supérieures de Civilisation Médiévale, 1999), pp. 63–69; Alicia Walker, 'Meaningful Mingling: Classicizing Imagery and

- Islamicizing Script in a Byzantine Bowl', *The Art Bulletin* 90/1 (2008): pp. 32–53; Alicia Walker, 'Cross-Cultural Reception in the Absence of Texts: The Islamic Appropriation of a Middle Byzantine Rosette Casket', *Gesta* 47/2 (2008): pp. 99–122; Vionis, 'Reading Art', pp. 105–110.
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- 80 Morgan's 'Polychrome Ware, Group II', find number 369, C-37–62; Charles H. Morgan II, *Corinth XI: The Byzantine Pottery* (Cambridge, MA: Harvard University Press, 1942), pp. 67–69, and 211, and Plates XVI–XVII.
- 81 For a discussion on the chronology of Byzantine Polychrome-painted pottery found at Corinth, see Guy D. R. Sanders, 'Byzantine Polychrome Pottery', *British School at Athens* 8 [MOSAIC: Festschrift for A. H. S. Megaw] (2001): pp. 98–101.
- 82 Morgan, *Corinth XI*, p. 68.
- 83 Arethas Caesariensis, *Scripta minora*, ed. Leendert G. Westerink, *Arethae archiepiscopi Caesariensis scripta minora* (2 vols., Leipzig: Teubner, 1968/1972), Vol. 1, opus 26, 240: 13. Prof. Martin Hinterberger (University of Cyprus), whom I here gratefully acknowledge, drew my attention to this source.
- 84 Examples of this kind can be found in Erica Cruikshank Dodd, *The Frescoes of Mar Musa al-Habashi* (Toronto: Pontifical Institute of Medieval Studies, 2001), pp. 77–97; Piotr Grotowski, *Arms and Armour of the Warrior Saints: Tradition and Innovation in Byzantine Iconography (843–1261)* (Leiden: Brill, 2010), pp. 79–80; Badamo, 'Image and Community', pp. 229–231.
- 85 Lock, *Franks in the Aegean*, p. 12. For an extensive overview of the economic and social history of the Cyclades in the Late Medieval/Venetian period, see Vionis, *Aegean Archaeology*, pp. 35–45.
- 86 Joshua Prawer, *Crusader Institutions* (Oxford, 1980); David Jacoby, 'Social Evolution in Latin Greece', in Kenneth M. Setton (ed.), *The Impact of the Crusades on Europe* [A History of the Crusades, 6] (Madison: University of Wisconsin Press, 1989), pp. 175–221; Sally McKee, *Uncommon Dominion: Venetian Crete and the Myth of Ethnic Purity* (Philadelphia, 2000), p. 7; Vionis, *Aegean Archaeology*, p. 36.
- 87 John K. Fotheringham, *Marco Sanudo: Conqueror of the Archipelago* (Oxford: Clarendon Press, 1915); Vionis, *Aegean Archaeology*, pp. 88–89.
- 88 Ronnie Ellenblum, *Frankish Rural Settlement in the Latin Kingdom of Jerusalem* (Cambridge, 1998), p. 13; Vionis, 'Much Ado About', p. 197.
- 89 In comparison to other defended settlements of the period in the Cyclades, the *Kastro* of Naxos has the characteristics of a true 'town' due to its planned street network, its central focal point, relatively dense population, plots of houses of urban type, social differentiation within the community and religious organisation; Vionis, 'Much Ado About', p. 197.
- 90 Paris Gounarides, *Η θέση του χωρικού στη Βυζαντινή κοινωνία* (Athens, 1998), pp. 143–144.
- 91 Lock, *Franks in the Aegean*, pp. 13, 277.
- 92 Vionis, *Aegean Archaeology*, pp. 132–142. A number of peasant riots initiated by indigenous landowners during the course of the thirteenth century (before the firm establishment of the Latin regime on Naxos and the Cyclades) justifies only partly the construction of Apano Kastro. Crete serves as another *comparanda* here in the case of Greek peasants' and Greek *archons'* revolts in the course of the thirteenth century against the Venetian *coloni* and the Metropolis, although Naxos does not seem to have lived peasants' riots in such intensity, thanks to Marco I Sanudo's diplomatic skills. See generally Nikos Svoronos, 'Το νόημα και η τυπολογία των κρητικών επαναστάσεων του 13ου αιώνα', *Symmeikta* 8 (1989): pp. 1–14.

- 93 Athanasios K. Vionis, 'The Thirteenth–Sixteenth–Century *Kastro* of Kephalos: A Contribution to the Archaeological Study of Medieval Paros and the Cyclades', *Annual of the British School at Athens* 101 (2006): pp. 481–484.
- 94 Vionis, *Aegean Archaeology*, pp. 240–244 and 254.
- 95 Intensive surface survey on the *kastro* of Kephalos in Paros has revealed that all the *Maiolica* tablewares imported from Faenza are to be found on the hilltop, where the lord's residence was located in the thirteenth to sixteenth centuries. See Vionis, *Aegean Archaeology*, p. 322.
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- 97 *Ibid.*, pp. 110–112.
- 98 Vionis, *Aegean Archaeology*, pp. 337–338.
- 99 Sophia Kalopissi-Verti, *Dedicatory Inscriptions and Donor Portraits in Thirteenth-Century Churches of Greece* (Vienna, 1992), pp. 23–46.
- 100 Ioanna Bitha, 'Ενδυματολογικές μαρτυρίες στις τοιχογραφίες της μεσαιωνικής Ρόδου (14ος αιώνας – 1523): μία πρώτη προσέγγιση', in Evangelia Kypraiou and Diana Zapheiropoulos (eds.), *Ρόδος 2.400 χρόνια: η πόλη της Ρόδου από την ίδρυσή της μέχρι την κατάκτησή της από τους Τούρκους (1523)*, *Διεθνές Επιστημονικό Συνέδριο, Ρόδος, 24–29 Οκτωβρίου 1993, Πρακτικά* (2 vols., Athens, 2000), Vol. 2, pp. 429–447; Stancioiu, 'Objects and Identity', p. 235.
- 101 Luttrell, 'The Latins and Life', p. 153; Peter Lock, *The Routledge Companion to the Crusades* (London, 2006), p. 436; Vionis, *Aegean Archaeology*, p. 339.
- 102 Mitsani, 'Η μνημειακή ζωγραφική στις Κυκλάδες', p. 115; Vionis, *Aegean Archaeology*, pp. 337–338.
- 103 I am particularly grateful to Lucy-Anne Hunt (Professor Emerita, Manchester Metropolitan University), Dr Scott Redford (Koç University), Dr Tolga Uyar (UMR 8167, Orient & Méditerranée) and Dr Maria Parani (University of Cyprus) for our fruitful discussions on the chronology and iconography of this fresco. Any mistakes or short-coming (concerning the identification and interpretation of the scene analysed in this chapter) remain, of course, my own.
- 104 Dr Charalambos Pennas is preparing the detailed study and publication of the iconographic programme in the church of Hagios Georgios. He is sincerely thanked for providing me with a photograph of the fresco discussed in this paragraph.
- 105 An interesting collection of Seljuk glazed tiles with figurative decoration has been excavated at the Kubad-Âbâd Palace in Beyşehir in the province of Konya. See Rüçhan Arık and Oluş Arık, *Tiles: Treasure of the Anatolian Soil, Tiles of the Seljuk and Beylik Periods* (Istanbul, 2008).
- 106 The arrow is symbolically seen by the Byzantines as 'an attack by the devil', while the bow (a weapon used predominantly by the Muslims) was employed by 'the enemies of Christianity' and became 'the weapon of the forces of evil', therefore never a suitable object for official Christian art; it started making its appearance, though, in the context of military saints during the thirteenth century under the influence of Crusader art. See Grotowski, *Arms and Armour*, pp. 372–374.
- 107 Walter, *Warrior Saints*, pp. 119–121, 126 and 132–133, with further bibliography.
- 108 Although the sword and the globe are objects very often carried by archangels in Byzantine art, the absence of wings and the red shoes (considered along with the crown as the most distinctive Byzantine imperial regalia) worn by the standing figure on this fresco point towards an imperial persona. For a thorough analysis of the Byzantine imperial costume, and shoes especially, see Maria Parani, *Reconstructing the Reality of Images: Byzantine Material Culture and Religious Iconography (11th–15th centuries)* (Leiden: Brill, 2003), pp. 30–31.

- 109 Maguire, 'The Mosaics of Nea Moni', p. 208.
- 110 Walter, *Warrior Saints*, p. 133; Grotowski, *Arms and Armour*, p. 102–107.
- 111 Walter, *Warrior Saints*, pp. 134, 142; Sharon E. J. Gerstel, 'Art and Identity in the Medieval Morea', in Angeliki Laiou and Roy Parviz Mottahedeh (eds.), *The Crusades from the Perspective of Byzantium and the Muslim World* (Washington, DC: Dumbarton Oaks Research Library and Collection, 2001), pp. 263–285.
- 112 Joseph Pitton de Tournefort, *A Voyage into the Levant Performed by Command of the Late French King* (2 vols., London, 1718), Vol. 1, p. 168.

11 Legacies in the landscape

The Vostizza district, c. 1460–1715*

Malcolm Wagstaff

Introduction

This contribution has three aims. The first is to show how the administrative needs of three imperial regimes resulted in the recording of somewhat different information about land use. The second is to use the information from two, occasionally three, historical surveys to illustrate some elements of change and continuity in the landscape. The third aim is to show how new patterns of land use emerged over time. Three different communities are used to illustrate these topics. They are located in the Vostizza (Aighio) district in the northern Peloponnese (Peloponnisos) or, as it was called in the period of interest, the Morea or Mora (Figure 11.1).

The Venetian victory near Patras on 24 July, 1687, and the flight of the defeated Ottoman army eastwards towards Corinth mark a significant moment in the history of the Morea. Twenty-eight years of Venetian administration followed and separated two unequal periods of direct Ottoman rule (c. 1460 to 1687; 1715 to 1830). The Venetian regime succeeded a decayed version of the classical Ottoman system based upon *timars* and *kazas*. It was designed to provide ‘livings’ to cavalry officers, to ensure Ottoman control of the population and to provide funds to the central government. Introduced immediately after most of the Morea was brought under direct Ottoman rule c. 1460, this classic regime was undermined by the development of hereditary landed estates (*çiftlikisation*), the expansion of *vakf* and the growth of tax farming. When Ottoman rule was reimposed following a lightning campaign in the summer of 1715, an attempt was made to reintroduce the old forms of administration, but without success.¹ The need in the early eighteenth century was for cash to pay for a permanent, largely infantry army and to meet the needs of the central government and the court. The sale of tax farms was the preferred method of meeting the demand. Both the introduction and reintroduction of direct Ottoman rule were accompanied by the issue of a provincial law (the *kanunname*) and a survey of the resources of the *paşalık*.

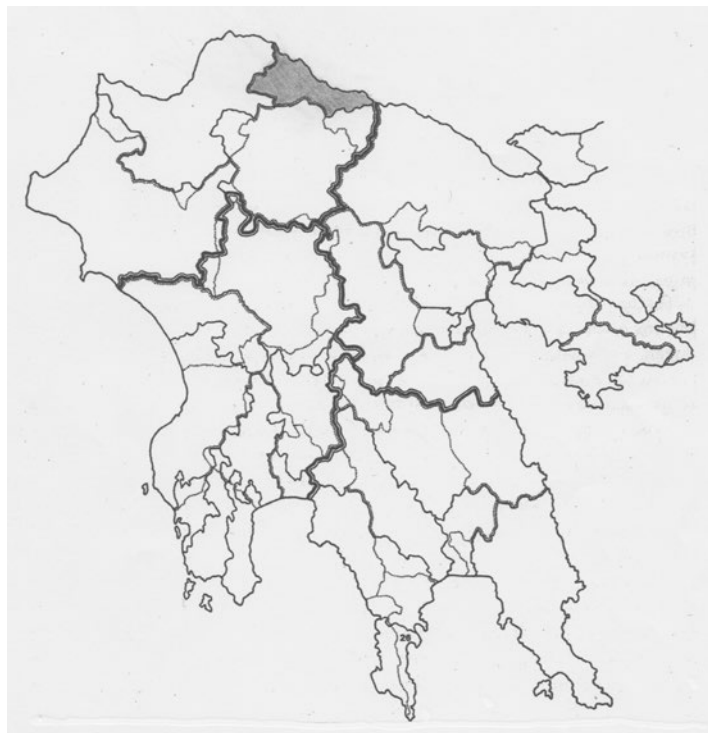


Figure 11.1 The location of the *Territorio di Vostizza*

The sources

The results of the Ottoman surveys of Morea were written down in *mufassal defters* (detailed registers). The earliest of these dates c. 1460–63 and survives in two parts, one (TT10) in the Prime Minister's Archive at Istanbul and the other (1/146620) in the Sts. Cyril and Methodius National Library of Bulgaria at Sofia.² They measure roughly 14 by 36 cm. Each page is laid out in two columns and the information is recorded in the *tevki* script, one of the 19 scripts used for writing Ottoman Turkish.³ The data are standard, as indicated in Table 11.1.

The *mufassal defter* produced after the reconquest of 1715 exists in two versions. The fullest is in the Prime Minister's Archive in Istanbul⁴ but the second one, in three parts, is kept as a working document in the Land and Surveys Office in Ankara.⁵ The second version is now recognised as an incomplete copy of the first, possibly prepared for the sultan since it contains annotations in gold ink. Although the three volumes are larger than the fifteenth-century *defter* (mean of 17.7×52.0 cm), the pages are laid out in a similar way. The entries, however, are written in *siyakat*, undoubtedly the most difficult Ottoman script to read.⁶ Not

Table 11.1 Generalised contents of the *Mufassal Defter* of c. 1460–63 (TT10: 1/14662)

Recording Unit: <i>karye</i> , <i>mezra'a</i>
Status: Eg. <i>hass-i paşa</i>
Community: (<i>cema'at</i>): Eg. <i>Arnaud</i> (Albanian)
Names of <i>reaya</i>
Number of <i>hane</i> (households), <i>mücerred</i> (bachelors), and <i>bive</i> (widows)
Revenue Sources: <i>ispence</i> (head tax), olives, other fruit trees, sheep, goats, beehives

Table 11.2 Generalised contents of the *Mufassal Defter* of 1715–16 (TT880)

Recording Unit: <i>karye</i> , <i>çiftlik</i> , <i>mezra'a</i> , <i>manastir</i>
Physical Setting: mountains, plains
Status before the Venetian Conquest: Eg. <i>timar</i>
List of <i>reaya</i>
+ Property (land, trees, animals, houses, mills)
Revenue Sources: <i>ispence</i> (head tax), cereals, olives, other fruit trees, vineyards, beehives, pigs
Boundaries
Sometimes: productivity market prices

only does it lack diacritical marks but it also uses letter and word forms, as well as abbreviations, which make the script a sort of hybrid between secretary hand and shorthand. Nonetheless, the data in the early eighteenth-century *defter* are similar to those in its fifteenth-century predecessor. However, some new material has been introduced (Table 11.2), notably the boundaries of the recording units and the property of individuals (including houses and mills). Occasionally, information is given on seed: yield ratios and market prices. It is possible that the recording of this new information owes at least something to Venetian surveys.

Venetian administrators were busy in the *Regno di Morea* even before the Morean War ended. Almost all the land, and especially land formerly in Muslim hands, was considered to belong to the state. It was let out to those indigenous people (Christians and converts from Islam) who could prove title and also to newcomers, either refugees from the war zone or immigrants attracted to the offer of land by the Venetian Republic. Personal taxes of the sort raised by the Ottoman regime were not levied by the Venetians in Italy, and so they were abolished.⁷ Some duties were retained and others introduced, while the state claimed monopolies on things like salt production. Tithes on agricultural production were retained, as a temporary measure. Contracts to collect them were auctioned annually in early summer village by village following an assessment of the likely yield. The system proved unpopular. Various attempts were made to improve it, but without much success.⁸ Ideally, the Venetian administrators wanted to introduce the system they were used to operating in the *Terrafirma*, the Venetian territories in northern Italy. There a tithe (*decima*) was raised not on production, but on the amount of land held by individuals – its extent being

Table 11.3 Generalised Contents of the Catastico Particolare di Vostizza, 1700 (N.81)

Name of the Township
Plan of the Township Described below
Location and Boundaries
Area in <i>stremmata</i> , <i>campi Padouani</i> and <i>campi Trivisani</i>
Quality of the land and Areas: cultivable, rocky, etc., pasture, woodland
Resources:
Churches: sound/derelict; Houses: sound/derelict; Mills (sound/derelict
<i>Folladori di Rasa</i> (fulling mills)
Springs; Fruit Trees (by type – olives, oranges, lemons, figs, etc.)
Animals (by type – pigs, sheep, goats, cattle, plough animals, horses)
Beehives
Population: Number of Families; Origins: Eg. <i>del Regno; della Rumelia</i>
Plans of <i>Terreni</i> (cultivated land) and <i>Vigne</i> (vineyards): plots coloured
to show type of tenure)
Holdings of <i>Terreni</i> numbered with the name of the Holder/Tenant alongside, keyed to
plans; area of individual plots in the 3 measures mentioned above
Holdings of <i>Vigne</i> : numbered with the name of the Holder/Tenant alongside,
keyed to plans; area of individual plots in <i>zappade</i> , as well as in the 3
measures mentioned above
Summary of the <i>Terreni</i> and <i>Vigne</i> Holdings by Type of Tenure

determined and updated by instrumented survey. It was with this change in mind that the Venetian administrators instituted resource surveys as early as 1687. The first so-called *Catastico Ordinario* was completed in 1691. However, these lacked any assessment of individual land holdings or the types of tenure.⁹ Crucially, they did not include cadastral plans. Francesco Grimani, *Provveditore Generale dell'Armi in Morea* from 1698–1700, ordered a more complete survey. The general results are summarised in Table 11.3. Given the amount of detailed mapping and enquiry required, it is not surprising that only two *Catastici Particolarii* were completed before Venetian rule came to an end, though a third was almost finished. One of them was for the *Territorio di Vostizza*.¹⁰ This is the study area where we have sought to identify and investigate landscape legacies of the three administrative regimes.

The study area (Figure 11.2)

The *Territorio di Vostizza* corresponds in large measure with the *Nahiyyet-i Vostîçe* of c. 1460 and the Kaza-i Vesiñçe of 1715–16, although there are some differences in the boundaries. The area lies in the northern Morea and fronts the Gulf of Corinth. The Venetian regional map of 1700, the *Disengo di Vostizza*,¹¹ shows the district as it extends for about 23 km east-west along the coast and

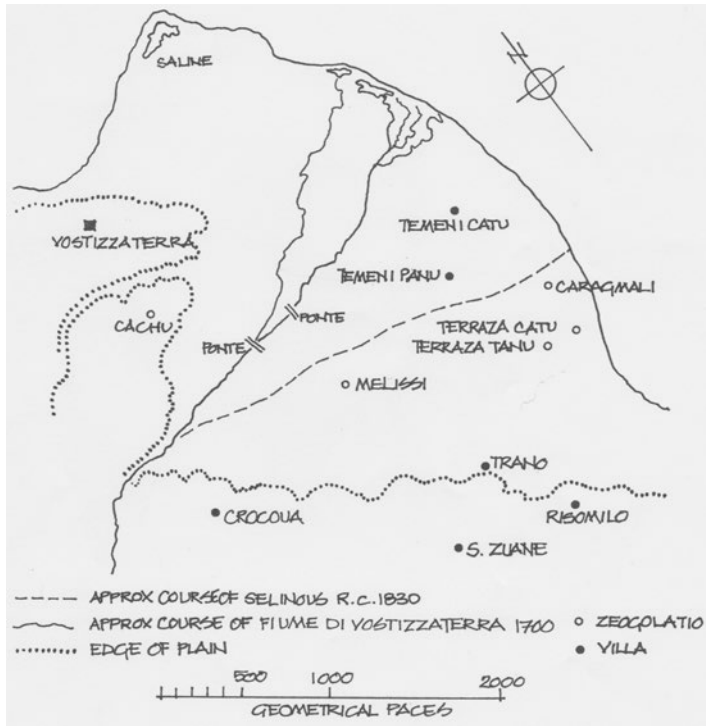


Figure 11.2 Changes in the course of the Selinous River, c. 1700–c. 1830.

for between 8 and 16 km inland. The Venetian surveyors calculated the area as about 152,136 *stremmata* (119.79 km²¹²). They concluded that about 57,260 *stremmata* were cultivable (37.6 per cent of the total area) and that vineyards covered another 1,664 *stremmata* (1.09 per cent). Much of the topography of the Vostizza area consists of mountains and hills cut by deep parallel valleys running towards the sea. Marshy deltaic plains were found near the coast, while an extensive shelf of land rises to more than 200 m from the coastal cliffs on which stands the regional centre of Vostizza, now called by its ancient name of Aighio. The area is prone to earthquakes and the associated tsunamis, the most famous of which was in 337 BC and which destroyed the town of Helike; the most recent (6.5 on the Richter Scale) occurred on 15 June 1995.¹³ A comparison of the Disengo with the *Carte de la Morée* prepared by French surveyors after the Greek War of Independence¹⁴ shows that a dramatic shift took place in the course of the Selinous River across its delta between 1700 and about 1830 (Figure 11.3). The most likely cause was probably a major earthquake, and the earthquake of 28 August, 1817 (estimated at 6.5 on the Richter Scale), is the likely candidate.



Figure 11.3 The location of places mentioned in the text: Crocoua, Taxiarkhi, Melissi and Vostizza.

Sadly, though, the sources do not allow for much more in the reconstruction of change in the physical landscape of the Vostizza area in our period. We turn, instead, to the human landscape.

Some imperial legacies in the landscape

Crocoua/Krokova (Figure 11.2)

The basic recording unit in each of the sources is the settlement. ‘Settlement’ designates those places identified as *nefs* (‘itself’: the administrative centre or town), *karye* (village) and *manastir* (monastery) in the *defters* and as *terra* (town), *villa* (village), *zeogalatio* (estate village), *machalade* (quarter) and *monasterio* in the *Catastico Particolare*. The 1460 *defter* recorded 67 such places, including the town, but also a further 4 places designated as *mezra’a*. The *mezra’as* are a problem. They have generally been recognised in the literature as places with cultivable, even cultivated land, but lacking a permanently occupied settlement.¹⁵ The designation of an inhabited place as *zeogalatio* in 1700 but as *mezra’a* only 15 years later raises interesting questions not only of classification by the Venetian and

Ottoman surveyors, but also of possible abandonment during the period. The same question arises with four of the inhabited *villa* settlements recorded in 1700 by the Venetian surveyors, but which are also designated *mezra'a* in the subsequent *defter*.

One of the *villa/mezra'a* settlements is Crocoua (Krokova). The Venetian regional map and the village plan locate the settlement above the valley of the *Fiume di Vostizza* (R. Selinous), almost at the point where the river enters its delta, and above the edge of the plain. Eleven *hanes* (households) and one unmarried male were recorded here in c. 1460.¹⁶ But did they live where the Venetian surveyors placed Crocoua, or did they inhabit the place they called Palio Crocoua ('Old Crocoua')? Palio Crocoua was mapped as lying 1,200 geometrical paces (1.83 km) from Crocoua, further into the mountains. That the fifteenth century population was described as *Arvanud* (Albanian)¹⁷ suggests that, wherever the settlement was located in 1460, it had only recently been occupied. A large number of Albanians (the sources say 10,000) were brought to the Morea by its Byzantine rulers at the end of the fourteenth/beginning of the fifteenth century to repopulate deserted land.¹⁸ The Venetian surveyors noted 240 years later that the 10 families then living in *Crocoua e Palio Crocoua* were from Roumelia, that is, central Greece. In other words, they too were recent immigrants. They may have been attracted by the Venetian offer of land as part of a strategy to repopulate the Morea after the war. But they may also have been followers of the Bishop of Salona, 'Monsignor Theoffilo', who had allied himself with Venice.¹⁹ Salona is just across the Gulf of Corinth.²⁰ The Venetian surveyors also reported that of the 19 houses in the village, 7 were *discoperte* ('unroofed'). It may also be significant that they did not plan the cultivated areas in the same detail as elsewhere. The subdivisions may not have been visible if the land had been unused for several years. Taken together, these pieces of evidence suggest that Crocoua became deserted again sometime between c. 1460 and 1700. Earthquake damage may have caused abandonment, but no major events are reported from the area until 1714. Instead, Crocoua may have been a casualty of the Morean War, since both Crocoua and Palio Crocoua lie near the main east-west route across the delta, as well as close to one of the valley routes toward the important inland town of Kalavryta. However, we might also postulate a cycle of desertion and reoccupation in which security played an important role within a framework of long-term political and economic change. Another possibility is suggested by the categorisation of Crocoua as *Krokova kalyvia* by the French surveyors who mapped the Morea after the Greek War of Independence.²¹ 'Kalyvia villages' were settlements which were occupied only seasonally.²² People moved there either when livestock were brought down from upland pastures to winter on lower-lying land (such as the Selinous delta) or when their fields were ploughed and harvested. Seasonal occupation would match the description of Korkak (tentatively identified as Krokova) as *mezra'a* in 1715–16. Crocoua's cultivated land was distributed over 5 locations, according to the Venetian plan of 1700, and may

have been worked from elsewhere some fifteen years later. Although in terms of tax wheat production was the most important activity of the Crocoua community c. 1460,²³ and *terreni* (arable land) formed 32.7 per cent of the total area in 1700, relatively large numbers of livestock were recorded there in both the fifteenth and the eighteenth centuries. In other words, pastoralism was an important component of land use in the area. It suits the terrain and would fit with the categorisation of the settlement as sometimes a village (*karye/villa*) and sometimes *mezra'a* or *kalyvia*.

***The monastery of the great taxiarchs
Michael and Gabriele (Figure 11.2)***

A similar cycle of occupation, desertion and reoccupation can be suggested for other settlements in the study area. There are also several cases of relocation. The most dramatic in the period under examination is that of the Monastery of the Great Taxiarchs Michael and Gabriele, to give its full dedication. When the first *defter* was compiled c. 1460, the monastic community of 25 *mucered*²⁴ was housed along a ledge leading to a cave church, similar to that at the better-known Megaspelaion monastery. The cave is in a cliff face, below the summit of Mt. Klokos. The monastery was founded in 1415–20 by the elder Hosios Leontios (c. 1377–1452).²⁵ Following a devastating fire sometime between 1621 and 1638, the community relocated and built a new monastery on a wider, lower terrace *in mezzo ad aride montagne*, as the *Particolare* describes the site. Whereas the original community had lived in a cave monastery, its building adapted to the terrain, the new home followed the classic pattern of the Orthodox monastery. It consisted of a central church and defensive tower enclosed by domestic buildings. What we see now is a rebuilding after destruction during the Orlov Rebellion (1770–79), although a drawing by the Russian traveller Vasili Grigorovich Barsky (1701–47) shows essentially the same structure. The Venetian surveyors reported 32 cells in the monastery, but 37 *calogeri*.

About 27 per cent of the monastic estate of 9,252 stremmata on the mountain slopes and in the valley of the *Fiume di Vostizza* (R. Selinous) was judged cultivable in 1700. *Terreni*, that is arable land, covered 46.7 per cent of this area. A small tract was under vines (4.6 per cent). The surveyors noted various kinds of fruit trees, although it is not clear whether these grew in orchards or were scattered around the estate. The community also owned 1,000 sheep, 300 goats and 15 cattle, presumably on the 72.8 per cent of the estate classified by the surveyors as pasture, wood or land otherwise unusable, *per crode e diruppi*.

Much of the work of the estate must have been carried out by the 16 families who lived at the *metochi* (a monastic dependency) called Melisari, just over 2 km south-east of the monastic complex. The monks possessed at least one other *metochi*. This was Dimitropullo, 8 km to the north-west of the monastery, beyond the *Fiume Gaidariopgnite* (R. Gaidouropnitis/Meganeites), which formed the western boundary of Vostizza *terra*. The inhabitants were sixteen families from Rumelia – another community of immigrants. There is no land use data from

the Ottoman *defters*, since the monastery was exempt from taxes, apart from that on single males (the *ispence*).

Vostizza/Vesinçe

The people of Crocoua came on both occasions as immigrants to the area shortly before the imperial authorities recorded them. Another case of population change is represented by the area's administrative centre, Vostizza/Vesinçe, categorised by the Venetians as *terra* (archaic Italian for 'town'). The Grimani Census noted that 383 families, 1362 people, lived there in 1700,²⁶ while the *Catastico Particolare* said that most of them came from Salona and Liuada (Livadhia) in central Greece with Bishop Theophilos. The immigrants largely replaced the town's Muslim inhabitants. Most of them can be assumed to have fled with the Ottoman army after the battle of Patras, although some converted to Christianity and retained their property. The chief Muslim legacy in the townscape was a mosque, converted into a munitions' store. Its central location, indicated on the Venetian town plan, may indicate that it was the Şeyh Efendi mosque mentioned by Evliya Çelebi in 1668 and which, he said, had survived the burning and destruction of the town by the infidel Venetians (presumably during the War of Candia, 1645–69) because it was built of stone, unlike the other mosques and *mescids* in the town.²⁷ The names of at least some of the late seventeenth-century Muslim inhabitants of the town are known because they are listed in the *Particolare* as the former owners of land, vineyards, houses and shops let out by the Venetian state. They seem to have possessed about 20 per cent of the arable land and about 36 per cent of the land under vines.²⁸

The Muslim presence in Vostizza was a legacy of the Ottoman regime. No Muslim names appear in the *defter* of c. 1460, made immediately after the imposition of direct Ottoman rule. Clearly, Muslims settled and Christians converted to Islam over the next 240 years.

As well as the conversion of the mosque into a munitions' store, there was one other direct indicator of change in imperial regime in the landscape of the late seventeenth century. This was the newly established Latin Church. It was presumably built for the Latin or Roman Catholic inhabitants who had come with the Venetians. They included people from Crete and other Greek islands, as well as administrators (including the *Intendente*) and current or former soldiers. The latter included *Il Capitan delle Cernide* and *Capitan Pietro Schiaupon*, both of whom lived in the Madonna Faneromeni quarter. The five other 'sound' churches in the town were Greek Orthodox, with one located in each quarter.

The field plans which are such a useful part of the *Catastico Particolare* show where the cultivated areas lay with respect to the settlements (Figure 11.4). Five areas of *terreni* (arable land) area shown in the territory of Vostizza *terra*, all of them on the land which rises southwards between the coastal cliffs on which the town stands and an obvious break of slope at the foot of the mountains. Some of

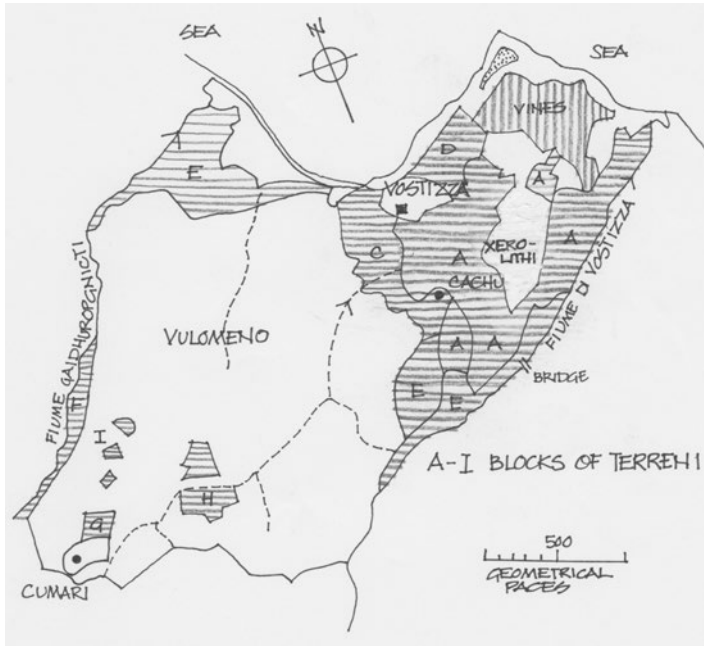


Figure 11.4 Vostizza Terra 1700: Distribution of *Terreni* and *Vigne*.

these *terreni* were cultivated from the two *zeogolatio* settlements, Cachu on a spur to the south of the town and Cumari to the south-east. A large tract (69.6 per cent of the total area given by the *Particolare*) named *Vullomeno* ('sealed', 'closed' or 'blocked') was uncultivated in 1700; another tract was designated *Xerolithi* ('dry stones'). The vineyards, about 4.0 per cent of the total area tributary to the town, were largely concentrated in one place behind the former saltern. These areas of arable and vineyard were almost certainly used in both Ottoman periods, although the nature of the data in the *defters* prevents the precise identification of individual holdings either c. 1460 or in 1715–16.

Land use

All three sources detail the use of land and agricultural production around individual settlements, with the exception of the Monastery of the Taxiarchi. In 1460 vineyards were the most important source of revenue at Vostice (4,725 akces) followed by wheat (2,300 akces).²⁹ In 1700 vineyards were sufficiently valuable to be recorded in *zappada*, a smaller measure than the *stremmata* used for *terreni* (arable land). The area covered by vineyards was given as 37 *doniims* c. 1460, equivalent to 34,014.10 m². By 1700 the area had apparently doubled to 578 *stremmata*, or 73,406 m². At both dates viticulture was clearly a commercial enterprise aimed at supplying currants through English and Dutch merchants

to the north European market. Vostizza *terra* also possessed 2,900 olive trees, 47 per cent of all the olive trees in the entire *territorio* (6,175). In the fifteenth century Vostiçe was one of only two places in the *nahiyyet* where olive trees were recorded, and by far the most important (85 Cf. 40 at Yakohto).³⁰ Under-reporting has been suspected for both dates, largely on the grounds that there *must* have been large numbers of olive trees in the area: they are there today and olive oil and table olives are important components of the modern Greek diet. But were they so important in the past? According to Foxhall, they were not considered to be staple foods in Antiquity but as ‘seasoning, condiment, and relish’.³¹ The apparent expansion of olive cultivation over the 240 years under consideration may be real and attributable to rising demand from Western Europe for oil to use for lighting or as a lubricant on machines and vehicles, but especially for making soap.

Another indicator of commercial activity in the landscape was mulberry trees, although we do not know where they were grown in village territories, whether in groves or as scattered individual trees. Twelve places recorded mulberry trees c. 1460, but the largest proportion was found at Vostiçe (26.4 per cent).³² The Venetian surveyors 240 years later reported them from 31 communities and reported a huge increase in numbers (3,007.9 per cent). Again, under-reporting in the fifteenth century may be the most likely explanation. However, the large number of mulberry trees at both dates indicates the importance of silk production in the area. While the production of cocoons is well adapted to small farms, the processes of producing raw and spun silk require large amounts of water and simple machinery.³³

Conclusion

Dipping into the statistical material in the *muffasal defters* for the Vostizza area and the *Catastico Particolare* has shown that successive imperial regimes left several legacies in the early eighteenth-century landscape. The most obvious are the mosque and the Latin church. The mosque is associated with the spread of Islam across the Balkans under the Ottoman Empire, while the Latin church in Vostizza *terra* reflects the denominational preferences of Venice and the republic’s long-standing attempt to promote Roman Catholicism in its overseas domains. The monastery of the Taxiarkhi is a legacy from an even earlier era.

Less directly associated with imperial regimes are the settlements. The sources examined suggest a cycle of occupation, abandonment and reoccupation, probably stretching back before the fifteenth century. Occupation was encouraged by imperial policies of repopulation pursued to revive economic activity and to increase revenue. Abandonment often resulted from the inability of an imperial power to provide security at a local level, as well as from economic decline.

Land use responded in part to the different requirements of the imperial regimes. Changing patterns of demand from outside the study area were

mediated through the control mechanisms of government and were also formative. Venice sought to channel all export trade through the city itself. Wheat production remained important from the fifteenth through to the eighteenth century for subsistence, feeding military garrisons and ships' crews, meeting tax obligations and, in the case of the Ottoman Empire, supplying Istanbul. Despite the efforts of successive Ottoman governments, a significant export trade developed to meet demand from expanding towns in Western Europe. Statistics compiled by Kremmydas show rising exports of olive oil from the Morea in response to rising demand from abroad.³⁴ Demand could be met only by increasing the number of trees. Although the eighteenth and nineteenth centuries saw the emergence of a definite commercial brand, 'Vostitsa currants', and the development of extensive currant plantations in the hinterland, the trend had clearly begun before 1700. Rising silk exports are linked to the spread of mulberry trees. The increase in olives, vines and mulberries across the study period suggests a transformation not only of land use but also of the appearance of the landscape. Agriculture became more commercialised and attracted substantial capital investment, necessarily long-term because of the time lapse between planting the trees and their maturity. Stability and peace were required. The Ottoman and Venetian regimes provided these – at least for a time.

Notes

- * The author would like to acknowledge the help in various ways of Stella Chrysokoou, Georgios Liakopoulos, Ismail Hakki, Wolf Hütteroth and Fahri Unan.
- 1 Mehmed Raşid, *Tarih-i Raşid* edition in 2 vols (Istanbul 1153/1741), Vol. 2, folio 128a. The passage makes reference to the government's intention to divide the Morea up into 12 districts, each with an experienced and trustworthy surveyor designated as responsible for the survey in his particular district. This decision to make these appointments is dated in the history to 22 Ramazan 1127/21 September 1715, at which time the army was camped at Nauplion on its return march towards Adrianople.
- 2 G.C. Liakopoulos, *A Study of the Ottoman Peloponnese in the Light of an Annotated Edition Princeps of the TT10–1/14662 Ottoman Taxation Cadastre (ca. 1460–1463)*, (Ph.D. Thesis, Royal Holloway, University of London, 2009).
- 3 J. Reychnan and A. Zajackowski, *Handbook of Ottoman-Turkish Diplomats* (The Hague and Paris, 1968), pp. 119–122.
- 4 Basbakanlık Arşivi, [Prime Ministerial Archives] *Tapu Tahrir*, Register No. TT880 (Istanbul).
- 5 Tapu ve Kadastro Genel Müdürlüğü, Ankara, *Tapu Arşiv Dairesi Bşk.*, *Mora Liva* Nos. 15 and 24; *Mistra Liva*.
- 6 Reychnan and Zajackowski, *Handbook of Ottoman-Turkish Diplomats*, pp. 123, 128.
- 7 S.A. Davies, *The Fiscal System of the Venetian Peloponnese: The Province of Romania, 1688–1715* (Ph.D. Thesis, University Of Birmingham, Birmingham, 1996), pp. 63–68.
- 8 S. Davies, 'Tithe-collection in the Venetian Peloponnese, 1696–1705', *Annual of the British School at Athens* 89 (1994): pp. 433–455.
- 9 Davies, 'Tithe-collection'; K. Dokos and G. Panagopoulos, *Το βενετικό Κτηρολόγιο της Βοστανίας*, Agricultural Bank of Greece (Athens, 1993), pp. xxv–xxviii.
- 10 Archivio di Stato di Venezia, *Sindici Inquisitori in Levante*, N. 81. K. Dokos and Panagopoulos.

- 11 *Disegno del Territorio di Vostizza*, Österreichisches Staatarchiv, Kriegsarchiv, Vienna, Billa121.
- 12 The 'Old' or 'Morean' *stremma* (1,270.2 m²) has been used to convert *stremmata* to hectares.
- 13 G.A. Papadopoulos (ed.), *Historical Earthquakes and Tsunamis in the Corinth Rift, Central Greece*, National Observatory of Athens, Institute of Geodynamics (Athens, 2000).
- 14 *Carte de la Morée, rédigée et gravée au Dépôt Général de la Guerre, d'après la triangulation et levées exécutées en 1829, 1830 et 1831*, 1:200,000, (Paris, 1832).
- 15 W.-D. Hütteroth and K. Abdulfattah, *Historical Geography of Palestine, Transjordan and Southern Syria in the Late 16th Century*, Erlangen Geographische Arbeiten (Erlangen, 1977), pp. 29–31.
- 16 Liakopoulos, *Study of the Ottoman Peloponnese*, Vol. 2, pp. 528–529.
- 17 Ibid.
- 18 D.A. Zakythinos, *Le Despotat grec de Morée*, T. 2, *Vie et Institutions*, (Athens, 1953), pp. 29–36.
- 19 The Bishop possessed 10.4 per cent of Crocou's land, though he was not the major landholder there.
- 20 Dokos and Panagopoulos, *To βενετικό Κτηαολο*, pp. lxxxiv–xciii.
- 21 *Carte de la Morée*.
- 22 A. Beuermann, 'Kalyvien-Dorfer im Peloponnes', in *Ergebnisse und Probleme moderner geographischer Forschung*, Hans Mortensen zu seinem 60. Geburtstag (Bremen, 1954), pp. 229–238.
- 23 Liakopoulos, *Study of the Ottoman Peloponnese*, Vol. 2, pp. 528–529.
- 24 Ibid., pp. 524–526.
- 25 P. Panitsas and P. Papatheodorou, *Ο Όσιος Λεοντίος και η Μονή Ταξιαρχων Αιγιαλίας*, (Aigio, 2003).
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- 28 M. Wagstaff, "'... the Heathen are Perished out of the Land'" (Psalm 11:18). The Turks of Vostizza', *Turkish Area Studies Review* 17 (Spring, 2011), pp. 89–90.
- 29 Liakopoulos, *Study of the Ottoman Peloponnese*, Vol. 2, pp. 524–526.
- 30 Ibid., Vol. 1 Table 16, pp. 306–316.
- 31 L. Foxhall, *Olive Cultivation in Ancient Greece: Seeking the Ancient Economy* (Oxford, 2007), pp. 89–90.
- 32 Liakopoulos, *Study of the Ottoman Peloponnese*, Vol. 1, Table 16, pp. 306–316.
- 33 W. Cochran, *Pen and Pencil in Asia Minor* (New York, 1887), pp. 95–97; J. Feltwell, *The Story of Silk* (Stroud, 1990), pp. 65–71.
- 34 V. Kremmydas, *Το Εμπόριο της Πελοποννήσου στο 18^ο αιώνα (1715–1792)* (Athens, 1972).

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Imperial Lineages and Legacies in the Eastern Mediterranean

RECORDING THE IMPRINT OF ROMAN,
BYZANTINE AND OTTOMAN RULE

Edited by Rhoads Murphey

The comparative study of empires has traditionally been addressed in the widest possible global historical perspective with comparison of New World empires such as the Aztecs and Incas side by side with the history of imperial Rome and the empires of China and Russia in the medieval and modern periods. Surprisingly little work has been carried out focusing on the evolution of state control and imperial administration in the same territory; approached in a rigorous and historically grounded fashion over a wide extent of historical time from late antiquity to the twentieth century. The empires of Rome, Byzantium, the Ottomans and the latter-day imperialists in the nineteenth and early twentieth centuries, all inherited or seized and sought to develop overlapping parts of a common territorial base in the Eastern Mediterranean and all struggled to contain, control or otherwise alter the political, cultural and spiritual allegiances of the same indigenous population groups that were brought under their rule and administration.

The task undertaken in *Imperial Lineages and Legacies in the Eastern Mediterranean* is to investigate the balance between continuity and change adopted at various historical conjunctures when new imperial regimes were established and to expose common features and shared approaches to the challenge of imperial rule that united otherwise divergent societies and imperial administrations. The work incorporates the contributions by twelve scholars, each leading practitioners in their respective fields and each contributing their particular insights on the shared theme of imperial identity and legacy in the Mediterranean World of the pagan, Christian and Muslim eras.

Rhoads Murphey was Reader in Ottoman Studies at the Centre for Byzantine, Ottoman and Modern Greek Studies, University of Birmingham, UK, and is now Professor of History at Ipek University (Ankara), Turkey.

HISTORY

Cover illustration: The past meets the present in the shadow of the remnants of past and present empires in the Eastern Mediterranean. Watercolour, (Detail) The Gardens of the Seraglio with European visitors inspecting the Column of the Goths, Constantinople, about 1800-1820, by Michel-François Préaux [Préaux] © Victoria and Albert Museum, London.

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